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OXFORD UNIVERSITY
CEREMONIES

OXFORD UNIVERSITY CEREMONIES

BY
L. H. DUDLEY BUXTON
AND
STRICKLAND GIBSON

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PREFACE

EACH section of this work is as far as possible divided into two parts. The first is mainly historical and includes matter illustrating the ceremony in question; the second part gives a detailed description of modern procedure.

The principal authorities are the ancient statutes of the University, which have been printed under the title *Statuta antiqua Universitatis Oxoniensis*, ed. by S. Gibson (1931). The MSS. in which the ancient statutes and privileges are contained are:

Registrum A, the Chancellor's Book, the oldest part of which dates from 1325 to 1350.

Registrum C, the Junior Proctor's Book, written in 1407.

Registrum B, the Senior Proctor's Book, written in 1477.

Registrum D, written about 1375 and based principally on A, but apparently never in official use.

Registers A, C, and B were the official statute books until 1634, when the Laudian Code was put on trial, and were definitely superseded in 1636 when the Codex Authenticus was delivered to the University. The Codex was edited by John Griffiths in 1888: the later additions to the Code will be found in *Corpus Statutorum Univ. Oxon.* (1768) and its continuations.¹ The current statutes are reprinted annually in *Statuta Universitatis Oxoniensis*.

The statute books have been supplemented by the Registers of Convocation and Congregation which begin in 1448.

Other works which have been drawn upon are:

Recollections of Oxford. By G. V. Cox. 2nd ed. 1870.

Two note-books kept by the Yeoman Bedels in Arts and Medicine and the Yeoman Bedels in Divinity, 1750–1879. [Bodl.] MS. Add. B. 63 (1, 2).

¹ The 1768 edition of the Statutes with its addenda holds a prominent place among bibliographical curiosities as it is probably the only example of a book (as distinct from a periodical) which is still in progress after 166 years of continuous existence: pp. 1517–38 were issued in 1934. For a full account of the *Corpus* see *Bodleian Quarterly Record*, iv. 271–4.

Two Registrar's note-books in the Archives (W. P. γ 18) —Dr. Bliss's (1824-53) and Dr. Rowden's (1853-70). *Register of the University of Oxford*, 5 vols. (Oxf. Hist. Soc.) 1884-9. Vol. II, pt. 1, containing Introductions, edited by the Rev. Andrew Clark, is specially valuable. *Hearne's Collections* (1705-35). Ed. by the Rev. H. E. Salter and others. 11 vols. (Oxf. Hist. Soc.) 1884-1918. *The Life and Times of Anthony Wood*. Collected by the Rev. A. Clark. 5 vols. (Oxf. Hist. Soc.) 1891-1900. This is a mine of information for University history in the seventeenth century. The reader should make himself familiar with the arrangement of Dr. Clark's admirable index (vol. v).

The Oxford Degree Ceremony. By J. Wells. 1906.

Registrum Cancellarii Oxoniensis, 1434-1469. By the Rev. H. E. Salter. 2 vols. (Oxf. Hist. Soc.) 1932. This is the text of the Chancellor's Register generally known as Reg. Aaa.

References to other printed books will be found in the text.

The modern part of each section is based on the latest Proctors' manuals.

Senior Proctor's manuals.

1827-8 (C. T. Langley and also apparently W. A. Bouverie).

This is a short, but useful book with much historical information. It gives an account of the Proctor's duties and seems to have been a model for later books.

1837 (R. Hussey). An independent manual, much fuller than the preceding, but with fewer annotations.

1855 (J. M. Holland). The first really full book with numerous annotations and obiter dicta. A most valuable authority and the basis of the manual now in use.

1887 (C. Leudesdorf). This was based on the preceding book, omitting sections which had become obsolete.

1903. This is a new edition by Dr. Poynton of Leudesdorf's book. The text follows Holland, but nearly every page has been annotated either by the original editor or

by his successors. In addition to questions of procedure much historical information has been collected. This manual is the chief authority for recent procedure.

Junior Proctor's manuals.

- 1830 (R. Thorp). An independent authority of some value, especially for the degree ceremony at the beginning of the nineteenth century.
- 1898-9. A copy of Leudesdorf's book 'omitting such passages as are no longer of practical value . . . Additions &c., written in the Senior Proctor's Book on the left-hand page, have sometimes been incorporated in the text on the right-hand side'. The late Dr. Wells and Mr. J. B. Baker, late Censor of Non-Collegiate Students, seem to have been responsible for the book. There are many additions in later hands.
1927. The present Junior Proctor's book is the only independent authority since Holland, and is the most up-to-date authority on University ceremonies, indeed the only modern authority which exists, outside the Statutes.

In our account of modern procedure we have tried to present what is actually current, although it may appear from our pages that it is not always strictly in accordance with tradition or prescribed rule.

Our best thanks are due to the following, who have helped us in various ways: The Rev. Dr. H. E. D. Blakiston, President of Trinity College; Dr. G. C. Cheshire, All Souls Reader in English Law; Mr. I. Deane Jones, Fellow of Merton College; Mr. A. B. Emden, Principal of St. Edmund Hall; the late Mr. T. R. Gambier-Parry, Senior Assistant, Bodleian Library; Dr. A. E. W. Hazel, Principal of Jesus College; Mr. D. Veale, Registrar of the University.

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1. *University Terms* (before 1350).

De temporibus resumpcionis et cessacionis singulis annis. Tenentur singuli magistri regentes fide data astricti terminos statutos inchoandi lectiones ordinarias et easdem terminandi observare scilicet ut in prima parte anni in crastino sancti dyonisii lectiones inchoent et octavo die terminent ante natale terminent. Post natale autem in crastino sancti hillarii resumant et in vigilia palmarum iterum terminent. Et post pascha quarta feria post dominicam qua cantatur quasi modo geniti resumant et in quinta feria ante pentecosten terminent et post trinitatem quarta feria resumant et continent secundum beneplacitum legencium usque ad xv dies ante festum sancti michaelis quia solum solet esse aliquando tempus vacationis per illum mensem. (*The Chancellor's Book*, f. 102^v. Written before 1350.)

'... primus Terminus incipiet die S. Remigii <until 1927, 'in crastino S. Dionysii'> . . . et octavo die ante Natalem Domini . . . terminabitur. Secundus autem die quarto post festum Epiphaniæ <until 1928, 'in crastino S. Hilarii'> . . . inchoabitur; et in vigilia Dominicæ Palmarum desinet. Tertius autem die Mercurii post festum Paschatis initium sumat, et continetur ex prorogatione . . . in diem Sabbati primum diem Martis in mense Julio proxime sequentem . . .' (*Stat. Univ. Oxon.* (1934), Tit. I, Sect. 1. 2-4.)

2. *Precedence* (1385).

Memorandum quod anno domini Millesimo ccc^{mo}lxxxiiiij In vigilia purificationis beate marie virginis in plena convocatione regencium et non regencium per fidem convocatorum declaratum est quod doctor in medicina dexteram partem Cancellarii in congregationibus et convocationibus retineret et non sinistram Doctor uero in iure ciuili partem sinistram et non dexteram. Facta est hec declaracio ex precepto regis Ricardi secundi post conquestum anglie Anno regni sui Octauo. (*The Senior Proctor's Book*, f. 44^r. Written 1477.)

'Statuit Universitas et decrevit quod in omnibus Congregationibus et Convocationibus Cancellarius vel Vice-Cancellarius, in Cathedra, locum teneat principalem in medio. Deinceps ex utraque parte Cancellarii vel Vice-Cancellarii, sedeant primo Doctores in S. Theologia: Deinde ex utraque parte Theologorum ad dextram Doctores in Medicina, ad sinistram Doctores Juris Civilis . . .' (*Stat. Univ. Oxon.* (1934), Tit. XI, § 2.)

3. *The Chancellor's (Vice-Chancellor's) licence at Inception* (probably before 1350).

Modus licenciandi incepturos in quacunque facultate per cancellarium etiam dicitur sibi assidentibus procuratoribus. Ad honorem domini nostri Jesu Christi [ac beate Virginis et omnium Sanctorum et] ad profectum sacrosancte matris ecclesie et studii auctoritate mea et tocius vniuersitatis do tibi licenciam incipiendi in tali facultate legendi et disputandi et omnia faciendi que ad statum magistri in eadem facultate pertinent dum ea compleueris que ad talem pertinent solennitatem. In nomine patris et filii et spiritus Sancti Amen (*The Junior Proctor's Book*, f. 19^v. Written 1407.)

'Ad honorem Domini nostri Jesu Christi, et ad profectum sacrosanctæ matris ecclesiæ et studii, ego auctoritate mea et totius Universitatis do tibi . . . licentiam incipiendi in facultate Artium <&c.> legendi, disputandi, et cætera omnia faciendi quæ ad statum Doctoris (*vel* Magistri) in eadem facultate pertinent, cum ea completa sint quæ per statuta requiruntur; in nomine Domini, Patris, Filii, et Spiritus Sancti.' (*Stat. Univ. Oxon.* (1934), Tit. IX, Sect. III, § 4. 10.)

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INTRODUCTION

CEREMONIAL holds an important place in all religious observances, in which, as St. Augustine says, men can only be united by the bond of visible signs and sacraments.¹ It is natural, therefore, that the procedure of the University, originally itself an ecclesiastical community, should be attended with many forms and ceremonies. In process of time ceremonies tend to become meaningless formalities, but, so long as they retain dignity and inspire reverence, their retention needs no justification. In ceremonial perfect understanding and clear definition of material things are not essential to participants, who are probably best served when outlines merge into mysterious backgrounds and the commonplace becomes the incomprehensible.

To this day many University ceremonies retain features which have come down from very early times, and therefore can only be fully understood when viewed in conjunction with academical life in the Middle Ages, but, as there is so much that is still obscure in medieval academic procedure, it is proposed to rely generally on the Laudian Code of 1636 which did not so much introduce new procedure and methods of government as adapt and co-ordinate the ancient statutes of the University.²

From the earliest times the University required that every scholar should be on the roll (*in rotulo*) or in the register (*in matricula*) of a master.³ The first systematic attempt to bring all students and privileged persons definitely under the same discipline was made in 1420 by a royal ordinance⁴ which enacted that all scholars and their servants, if of years of discretion, should swear to observe the statutes of the University and should be under the guardianship of a principal. Apparently it was not required that the names of scholars should

¹ *Contra Faustum*, lxix, c. x (*Patr. Lat.* xlii, col. 355).

² *The Laudian Code* (ed. Griffiths), 1888.

³ *Statuta antiqua*, lxxxii, 60-1, 82, 107.

⁴ *Ibid.* 226.

be registered, but only those of servants. In 1552 this ordinance was revived, and the names of all persons then residing in colleges and halls were entered in the Chancellor's register.¹

The first matriculation statute, promulgated in 1564/5,² provided for the registration of all scholars and privileged persons, who, if they had attained the age of sixteen, were to swear to observe the statutes. The ordinance required that students should be registered within seven days of their admission to a college or hall, with particulars as to age and place of residence. Scholars attached to no college or hall, but dwelling in the town, were to be under the supervision of a master who was a member of some college or hall.³ In 1581 the statute was enlarged and all matriculated persons had also, if of suitable age, to subscribe to the XXXIX Articles and to take the oath of Supremacy.⁴ The student then paid to the bedels certain fees which varied according to the quality of his father.⁵

Under the Laudian Code of 1636 all students had to be entered at some college or hall: unattached students were not permitted.⁶ The bedels were responsible for regularly visiting the colleges and halls and obtaining from the buttery

¹ *Statuta antiqua*, lxxxii; Univ. Reg. G, 68 sqq.; Clark, *Reg.* II. i. 162-3.

² *Statuta antiqua*, 391-5.

³ A specimen entry is: '20 Dec. 1577. Franciscus Thynne Wiltoniensis Equitis filius annorum 15.' The student was asked the county of his birth because certain endowments were, and a few still are, limited to certain counties.

⁴ *Statuta antiqua*, 421. The subscription books provide a very remarkable series of autographs of Oxford men.

⁵ From 1616 it begins to be noted whether the person matriculating was the eldest son, &c., e.g. '26 April 1616. Johannes Crew Northamptoniensis Armigeri filius natu maximus annos natus 18'. From 1622 the name of the father was added, e.g. '31 Jan. 1623. Tho. Earle Wiltoniensis filius Tho. Earle de Kemble in Comitatu praedicto sacerdotis annos natus 16'. Colleges nowadays are content to give all their students the same rank, usually 'gen. fil.', son of a gentleman, but some prefer 'arm. fil.', son of an esquire; even to-day the son of a clergyman is usually entered as 'cler. fil.'

⁶ This restriction was removed in 1868 when persons were permitted, under certain conditions, to become students and members of the University without being attached to any college or hall (*Corpus Statt. Add.* 754). Originally known as unattached or non-collegiate students (*scholares non ascripti*) they became St. Catherine's Society in 1931.

books the names of every newly admitted scholar who, within fifteen days, had to appear with his tutor¹ before the Vice-Chancellor so that he might be matriculated. If sixteen or over he subscribed to the XXXIX Articles, took the oath of Supremacy, and swore to obey the statutes. If under sixteen, but over twelve, he subscribed to the Articles only; if under twelve, his name was merely entered. The oath, however, had to be taken at a later time when the student had reached the required age.²

From 1670/1 a book containing a selection of the Statutes was handed to the student,³ but presumably from 1857, when the current statutes were first published in separate form,

¹ *Terræ-Filius*, 224 (1726).

Being of age to play the fool,
With muckle glee I left our school

at *Hoxton*,

And mounted on an easy pad,
Rode with my mother and my dad

to *Oxon*.

Conceited of my parts and knowledge,
They enter'd me into a college

ibidem.

The master took me first aside,
Shew'd me a scrawl, I read, and cry'd

Do Fidem.

Gravely he shook me by the fist,
And wish'd me well—we next request

a tutor.

He recommends a staunch one, who
In *Perkin's* cause had been his Co-

-adjutor.

The *Terræ-Filius* was published as a periodical in 1721. The first collected edition appeared in 1726.

An account of an undergraduate's first year will be found in 'Memorialls & Remaines containing y^e Life & Death of my deare Sonne Iohn Freind who deceased at Oxford Mar. 20th 167 $\frac{2}{3}$. By mee Nathaniell Freind' ([Bodl.] MS. Top. Oxon. f. 31).

² *Laudian Code* 25-9, provisions similar to those of the 1581 statute. The registers show that in the earlier period boys under 12 sometimes subscribed. For instance, two brothers William and Dudley Butler, aged 10 and 8 respectively, both subscribed in 1593. In 1605 Henry Cotton, aged 11, also subscribed, but could only make his mark—he was the son of a Bishop. There is no evidence that these very young students ever took any oath at a later date. It would appear that the *Do fidem* at subscription was considered sufficient.

³ *V.C. Computus*, 1670/1.

every matriculated person received a copy of the complete edition. Since the War the University has reverted to the older practice and distributed selected statutes only.¹ The opening clause of the present matriculation statute is substantially the same as that of the Laudian Code.

Immediately after matriculation the student entered the Faculty of Arts, unless he proceeded straightway to the Faculty of Law as a student of civil law.² The Faculties of Medicine and Theology could be approached only through Arts, which was also the usual approach to Law. The student then began to attend lectures, both those of his college (*lectiones domesticae*) and the prescribed lectures of the University (*lectiones ordinariae*). After two years' attendance he might respond *in parvis*, later known as 'doing Generals', which consisted in disputing in three logical questions (*quaestiones*). When the questions had been approved, the proctors nominated four regent masters, called Masters of the Schools³ or Moderators, to preside or moderate over the disputations.

¹ The first edition of selected statutes was published in 1635 (*Synopsis Statutorum*). In 1638 and later they were called *Statuta Selecta*. From 1671 onwards they were published as *Parecholæ* (cf. Madan, *Oxford Books*).

² Clark, *Reg.* II. i. 7 sqq. Even under the ancient statutes the Arts course was not essential for the doctorate of Law, an approach to knowledge which had been roundly condemned as early as the twelfth century. Ralph of Beauvais scathingly refers to the half-baked clerks who proceeded straight from Latin grammar and sentences to the study of civil and of canon law: 'Venient dies, et vae illis, quibus leges oblitterabunt scientiam literarum' (*Giraldi Cambrensis Opera*, ed. Brewer, II. 348-9).

³ There were in the fifteenth century *Magistri scholarum apud Augustinenses*, one of whom had always to be present at the disputations. In 1492 this office was combined with that of the superintendents of the grammar schools who were Masters of Arts elected yearly for that purpose. The regulation relating to these superintendents, who were also called *magistri scholarum grammaticalium*, is found in the earliest recension of University statutes, but by the end of the fifteenth century their duties had become merely formal (*Statuta antiqua*, lxxxvi). The term *magistri scholarum* in the seventeenth century was applied to any master presiding in the Schools (Clark, *Reg.* II. i. 22; Cox, *Recollections*, 39).

Amhurst thus describes the moderator: 'This moderator struts about between the two wordy champions, during the time of action, to see that they do not wander from the question in debate; and when he perceives them deviating from it, to cut them short, and put them into the right road

At this stage the first ceremony took place. At the end of the disputations those who had been disputing *pro forma*, that is, were doing it as an exercise requisite for a bachelor's degree, were created sophists (*sophistae generales* or *generales*). A regent master (*moderator*) under whose supervision the student had been disputing made a short speech in praise of Aristotle, gave the candidate a copy of Aristotle's logic, and placed upon his neck the sophist's hood.

As a sophist the student had to dispute at least once in every term (*pro termino*) with the scholars who were disputing *in parvis pro forma*. In the eighteenth century these disputations were called juraments.

Having completed his responsions *pro termino* the candidate for the degree of Bachelor of Arts had twice to respond to bachelors at the Lenten disputations, and at the end of twelve terms from the time of his admission could supplicate for his degree. The necessary publicity was obtained by the candidate making a circuit of the schools, and academic fitness was established by an investigation by four regent masters.¹ The student was formally presented to the Vice-Chancellor, who admitted him to the degree, or, as it was expressed in the statute 'to lecture on any book of Aristotle's logic'.

At this stage there is now a notable departure from ancient practice. Although the candidate was admitted to the degree he had not fully complied with all the conditions until he had 'determined', that is, had taken part in the Lenten disputations. The order of these disputations was arranged by 'collectors'² originally elected by the bachelors themselves

again; for which purpose he is provided with a great quantity of *subtle* terms and phrases of art, such as, *quoad hoc*, & *quoad illud*, *formaliter* & *materialiter*, *prædicamentaliter* & *transcendaliter*, *actualiter* & *potentialiter*, *directe* & *per se*, *reductive* & *per accidens*, *entitative* & *quidditative*, &c. all which I would explain to my *english* reader with all my heart, *if I could* (*Terræ-Filius*, 107).

¹ Archbishop Laud intended this to be no mere formality. In 1640 he stated that 'at our last Examinations we repulsed a Dunce of New-Inn who was not able so much as to give us a difference betwixt *Quisquis* and *Quisque* though a Candidate to be Master of Arts'. (Laud, *Remains*, ii. 184).

² It is possible that the word is derived from the *collectae* or dues which

but later by the Proctors. It was their duty to arrange the disputants into groups, to assign them Schools, to fix the day, and to collect the fees for the Proctors.¹

The Lenten disputations finished, the bachelor might then proceed to the master's course. For this he had to respond to three questions proposed by a master (*quodlibets*); dispute once a year, either as a respondent or an opponent, in the Austin disputations; and give six lectures (*lectiones solennes*) of their own composition. After three years from admission he might supplicate for the degree of Master, and, on a grace being granted, was presented to the Vice-Chancellor, who administered an oath requiring that inception should take place within a year.² Inception demanded participation in certain disputations, called respectively *in vesperis* and *in comitiis*, later known as the Act. At the end of the disputations at the they collected for the proctors (*Statuta antiqua*, lxxxiv, lxxxvi, 147, 213-14, 227, 414, 435). Collectors are mentioned in the statutes as early as 1346 and were doubtless in existence long before that time: their duties seem to have varied but little. Collectors survived until 1822 (Cox, *Recollections*, 241-2).

¹ Some of these days are called *gracious days*, because upon them the *respondent* is not obliged to stay in the *schools* above half the time, which *respondents* upon other *days* are; and some of the *schools* are esteemed better than other, *because more private*; but the *first* column and the *last* column in the *scheme* (which contain the names of those who are to *come up* the *first* day and the *last* day, and which is called *posting* and *dogging*) are esteemed very scandalous. The *collectors* therefore, having it in their power to dispose of all the *schools* and *days* in what manner they please, are very considerable persons, and great application is made to them for *gracious days* and good *schools*; but especially to avoid being *posted* or *dogged*, which commonly happens to be their lot who have no *money in their pockets*. The *statute* indeed forbids the *collectors* to receive any *presents*, or to *give any treats*; but the common practice is known to be directly against the statute; every *determiner* (that can afford it) values himself upon presenting one of the *collectors* with a *broad (piece)* or *half a broad*; and Mr. *collector*, in return, entertains his *benefactors* with a good supper, and as much wine as they can drink, besides *gracious days*, and *commodious schools*. I have heard that some *collectors* have made *four-score* or an *hundred guineas* of this place' (*Terræ-Filius*, 233).

² Three years was the usual interval between the degrees of B.A. and M.A., but dispensations in the sixteenth and seventeenth centuries became increasingly common. Gradually residence was dispensed with, until in the nineteenth century residence for three weeks, called 'Master's Term', was alone required. The Master's Term was abolished in 1859 (Hughes, *Tom Brown at Oxford*, ch. xlv; Cox, *Recollections*, 443).

Act the inceptor was created a master. He then became a necessary regent¹ and for one or two years was engaged in attending meetings of Congregation,² delivering ordinary lectures,³ presiding over and taking part in disputations, and assisting generally in University administration. The delivering of lectures, from the middle of the sixteenth century, had become so heavy a burden that the obligation was transferred to selected regent masters who were prepared to deliver ordinary lectures for a stated fee.⁴

Such was, very briefly, the scheme of study laid down for the Arts course by the Laudian Code. The Code, fortified as it was by royal authority, was rigid and held to be unalterable. From an educational point of view it represented a survival rather than a beginning, with the result that, in less than a century, the method of study which had once served the University so well became a favourite subject for the satirist. The slightly ironical preface to the Laudian Code calls attention to the barbarisms and solecisms which had been preserved in the text, so great was the regard of the compilers for antiquity.⁵ Four years later the Civil War broke out, and when peace finally came to the University, learning had definitely turned its back on medievalism. A single-

¹ Masters were generally by dispensation excused the second year. Such masters were called *regentes ad placitum*.

² Necessary regents may still be called upon to attend the Ancient House if there is any difficulty in forming a quorum on a degree day, although there is no obligation on necessary regents to be in residence.

³ See lists of lecturers (c. 1555) in metaphysics 3, moral 3, natural 3, astronomy 3, geometry 3, music 3, arithmetic 3, logic 3, rhetoric 2, grammar 2 (*Reg. I.* 213^v, 214^r).

⁴ Regency was never popular, except perhaps in the very early period when enthusiasm was strong. Wholesale dispensations were attempted in the sixteenth century. Sums paid to certain regents for lecturing occur regularly in the Proctors' accounts from 1561. The Lady Margaret Professorship was founded in 1502, and Henry VIII founded the Regius Professorships of Divinity, Hebrew, Greek, Civil Law, and Medicine. In the next century professorships, lectureships, or readerships were founded in Geometry and Astronomy, Natural Philosophy, Moral Philosophy, History, Anatomy, and Music (*Statuta antiqua*, c, ci; Clark, *Reg.* II. i. 90 sqq.).

⁵ The Laudian Code was almost entirely compiled from the ancient statute books and is therefore a mosaic rather than a code newly devised.

minded reformer like Dr. John Fell might by his own efforts and example vitalize University studies for a time, but it was by the colleges rather than by the University that effective education was provided. As time went on the curriculum was reduced to a series of mere forms. The arguments of disputants became of a set pattern, learnt by heart, and often recited with no one in authority present. Candidates for degrees are said to have chosen their own books for examination as well as their own examiners. Candidates often declaimed to bare walls, and their declamations sometimes consisted merely of reading a few pages from some Latin author.¹ In 1800 an Examination Statute was introduced, and from that time onwards a steady improvement in University studies was maintained.²

Ceremonial, however, suffered less from change than studies. The creation of sophists by placing a copy of Aristotle on the head of the candidate survived until 1828,³ while the placing of a small black hood on the neck of candidates in *viva voce* examinations lingered on until about 1855.⁴

¹ 'As I told my reader, that for *disputations* they have *ready-made* strings of *sylogisms*; so for *examination*, they have the *skeletons* of all the arts or sciences, in which they are to be examined, containing all the questions in each of them, which are usually asked upon this occasion, and the *common answers* that are given to them; which in a week or a fortnight they may get at their tongue's end' (*Terræ-Filius*, 230).

'John Douglas, who knew we were coming, was passing trials [i.e. doing Exercises, in 1758] for his degree of D.D., and that very day was in the act of one of his *wall*-lectures, as they are called, for there is no audience. At that University, it seems, the trial is strict when one takes a Master's or Bachelor's, but slack when you come to the Doctor's Degree: and *vice versa* at Cambridge. However that be, we found Douglas sitting in a pulpit, in one of their chapels [i.e. the Divinity School], with not a soul to hear him but three old beggar-women, who came to try if they might get some charity' (Cox, *Recollections*, 39).

'The lectures are always called *Wall Lectures*, because the lecturer has no other audience but the walls. Indeed he usually steals a sheet or two of Latin out of some old book, no matter on what subject, though it ought to be on natural philosophy. These he keeps in his pocket, in order to take them out and read away, if a proctor should come in; but, otherwise, he solaces himself with a book, not from the Bodleian but the circulating library' (Knox, *Essays* (1782), 332-6).

² Cox, 48 sqq. The first examinations were held in 1802.

³ Ibid. 123.

⁴ Clark, *Reg.* II. i. 22.

Disputations *in parvisis*, an exercise which goes back to the Middle Ages, are perpetuated in the list of successful candidates in Responsions which is headed *Nomina candidatorum qui quaestionibus Magistrorum Scholarum in Parviso pro forma responderunt*, but the Masters of the Schools are now examiners, and no longer preside over disputations. Unlike other examiners, although nominated by a committee, their names are not by statute submitted to Congregation, but are merely announced by the Vice-Chancellor.

The Moderator, at one time the regent master actually presiding over a disputation, is now the designation of an examiner in the First Public Examination, which, on its classical and mathematical side, still retains the name of Moderations. The ceremony of determination itself was perpetuated until 1855 by the deans of Colleges attending a special Congregation at which they read over a 'supplicat' for all the B.A.s who had been admitted during the year, and although no bachelors were present and no exercises performed, they were nevertheless held to have lawfully determined.¹ The *Examination Statutes* (tit. VI, sect. II, § 2) still state in Latin that B.A.s, who had been admitted to the degree before the *festum Ovorum*, should be considered to have determined in the following Lent, without formula or exercises. The last survival of inception was the list, published at the end of each term until March 1913, headed, *Nomina incipientium . . . secundum ordinem in quo admissi fuerint ad incipiendum disposita*.²

At the end of the period of regency a Master was expected to proceed to one of the three superior Faculties of Theology, Medicine, or Law. Considerable periods of time were required by the statutes before degrees could be taken in these faculties; a B.D., for instance, was supposed to be an M.A. of seven years' standing when he took his degree, while a D.D. had

¹ Ibid. II. i. 63.

² Huber's *English Universities* (1843) contains the following illustrations: Exercise for the degree of B.D. (coloured) I. 168; V.C. conferring degree of B.A. II. i. 300; V.C. conferring degree of M.A. II. ii. 516; Examination for degree of B.A. (coloured) II. ii. 524; Student signing the Matriculation book II. ii. 672.

to be of eleven years' standing. These years were spent in attending lectures and taking part in disputations.¹ The procedure was similar to that of the Arts course, entry being followed by presentation² and admission; then on proceeding to the higher degree by presentation, vespers, and licence. Similar requirements were demanded from candidates of the Faculties of Medicine and Civil Law. In the former Faculty licence to practise medicine and surgery was granted independently of any degree.

After the doctorate was obtained a period of regency was required by statute, but was generally waived by dispensation.

¹ The bare formality of disputing survived longer in the higher faculties than in Arts.

Feb. 25, 1851. 'Very considerable alterations were proposed and carried in Convocation, as to the Exercises for the Degree of B.C.L., substituting a bona fide Examination in place of the old Disputations, which had been long represented by certain threadbare "strings", i.e. logical arguments on legal questions; e.g. "Quid existimas de hac quæstione, An dominium acquiri possit sine possessione?" The disputants had their traditionary Latin arguments, pro and con, served out to them by the Clerk of the Schools, with a huge folio of Justinian for references (to fill up the hour required by the Statute), till, on the Clerk's appearing with his watch held up (and mumbling something which sounded like "*tempus præterlabitur est*"), the Professor, who had been reading a book or a newspaper all the while, stopped the disputants with the welcome "*sufficit*". This statement will hardly be believed,—but having myself taken a part in the solemn mockery several times, I can vouch for its unexaggerated accuracy. The same farce took place in Medicine at this time, and ten years earlier in Divinity. But—"Magnus ab integro sæclorum nascitur ordo"' (Cox, *Recollections*, 377-8).

² There was a tendency for candidates, either for bachelorship or doctorate, not to proceed to determination or inception, but to stop short at presentation and to assume the title of bachelor or of doctor.

MATRICULATION

Modern Procedure

WITHIN a fortnight of his arrival the student, wearing academic dress and a white tie, is presented by his dean, who wears the gown and hood of his degree, to the Vice-Chancellor, either in the Divinity School if there are many candidates, or in the Clarendon Building if there are few. Previous to presentation the student pays his matriculation fee and signs his name in a register.¹ The student must previously have passed Responsions or the equivalent and have been accepted by a Society. The Vice-Chancellor hands the student a copy of *Excerpta e Statutis* and of the Proctors' *Memorandum*.² He then says, 'Know that you have been to-day entered in the Register of the University, and are bound to observe all the Statutes contained in this book, as far as they concern you.' *Scito te* [vel si plures fuerint, *Scitote vos*] *in Matriculam Universitatis hodie relatum* [vel *relatos*] *esse, et ad observandum omnia Statuta hoc libro comprehensa, quantum ad te* [aut *ad vos*] *spectent, teneri*.³ So finishes this brief ceremony, the only one of importance in which the Proctors and other officials of Convocation or Congregation have no concern.

Questions have recently arisen about the matriculation of senior members who are proceeding after matriculation to take a degree either by decree or *ad eundem*. After some discussion the conclusion has been reached that they should wear the gown, but not of course the hood of the degree to which they were proceeding, usually that of an M.A., and not an undergraduate's gown. This seems reasonable, as the undergraduate wears the gown of the rank he will take up after matriculation, and the same should hold good of other grades. It is, however, entirely a matter for the Vice-Chancellor to decide.

¹ This register is used in lieu of receipts for the statutory fees and the auditors accept it.

² *Memorandum on the Conduct & Discipline of Junior Members of the University.*

³ *Statut.* tit. II. sect. II. § 1.

PRECEDENCE

EXCEPT on rare occasions the University pays little attention to precedence.¹ Doctors are content to sit among the masters and nobody lays particular stress on his rights. This was far from being the case in the medieval University, in which occasionally such serious disputes arose about precedence and titles that royal intervention was sought.

The Faculty of Theology has always held first place among the Faculties. The Chancellor, as representative of the Bishop of Lincoln, was almost invariably a Theologian, though by statute a Canonist might hold that office. In the absence of a Chancellor it was always the senior Doctor of Divinity, *Cancellarius natus*, who acted for him. In the earliest recension of the Statutes the other Faculties are arranged in the order, Canon Law,² Civil Law, Medicine, and lastly Arts.³

The position of Faculties in University assemblies is first mentioned in the Statutes in the second half of the fourteenth century. It was decreed that in assemblies the Chancellor should have his seat in the middle with the Doctors of Theology on one side, and the Doctors of Canon Law on the other. Along the sides of the House should sit the doctors of other faculties and then the Masters of Art. This was modified

¹ For some general views on this subject see 'The ancient organization of the University of Oxford', by T. E. Holland (*Macmillan's Magazine*, xxxvi (1877), 203 sqq.).

² In 1370 it was ruled that Bachelors of Theology should take precedence over Bachelors of Canon Law (*Statuta antiqua*, 167).

³ But in the two oldest statute books, Register A (before 1350) and D (c. 1375), the order is reversed, the most important faculty coming last. In Register C, which was compiled for Richard Fleming in 1407, Theology comes first; Canon Law comes next with the rubric, 'Post sacre theologie scienciam immediate proceditur ad facultatem decretorum que ei inter ceteras dignitate est vicinior'; Civil Law is third, 'Expedita facultate decretorum consequenter agitur de facultate iuris ciuilib eo quod earumdem forme singulariter pre ceteris sunt connexe'; and Medicine fourth, immediately before Arts, 'Quia medici et arciste in forma et gradu sunt pre ceteris conuicini ideo eorumdem forme in hoc libro immediacius sunt conscripte' (*Statuta antiqua*, 40 sqq.).

Rescriptum, et rescriptum p. a.

Preterea: rescriptum. necessarium singulis annis.
 Tuncur singli magistri regentes fide data ascripti tuncus statuto iudicio
 audi lectiones ordinar: capem animandi obsequare saluere ut in prima
 pte annu magistro sancti dyonisi lectiones iudicent: et tuncodie terminent
 ante natale tuncuent. Post natale autem magistro sancti hilaari sequant.
 et in vigilia palmarum tuncum terminent. Et post pascha quarta feria post
 dominicam qua cantatur quasi modo geniti sequant. et in vigilia feria an
 pentecosten terminent. et post trinitatem quarta feria sequant et continuant
 secundum beneplacitum legentium usque ad .vi. dies. ante festum sancti michi
 chis quia solum solet esse aliquando tempus tuncum per illum mensem.

1. University Terms (before 1350). See p. xi

quintena disputare.

Memorandum quod anno dñi Millesimo CCC. lxxv. In vigilia puri
 ficationis marie virginis in plena convocatione regentium et non
 regentium y hanc convocationem declaratum est quod doctor in mediana de terra
 pure Cancellarius in convocationibus et convocationibus retineat et non finitum
 Doctor: nec in hanc annu partem limitatum et non de terra. facta est
 hec declaratio ex parte regis Ricardi secundi post conquestum anglie Anno
 regni sui Quinto.

2. Precedence (1385). See p. xi

Modus licentiarum inceptivus in quacunque facultate
 p cancellarium eadem dicitur et assensibus pñonibus
 hanc dñm in hanc pñonibus
 eadem et studio antequam in hanc et totius in hanc pñonibus
 de hanc in hanc in hanc facultate legendi et disputandi
 di et omnia faciendi que ad hanc magistri in hanc fa
 cultate pertinent dñm ea compellens que ad hanc pñonibus
 meret solentur ac in nomine patris et filii et spū
 tus Sancti Amen

3. The Chancellor's (Vice-Chancellor's) licence at Inception
 (probably before 1350). See p. xi

in 1385 by royal command which gave seats to the Doctors of Medicine on the right, and Doctors of Civil Law on the left.¹

The position of the surgeons is one which has never been clearly defined. Licences to practise in surgery were of course given in medieval times, but the surgeons were probably professional men who did not concern themselves with academic matters. The formulae for the degree of Master of Surgery, which have superseded the old licence (the question of the bachelor's degree in Surgery never arises, for that is merged in the Bachelorship of Medicine, from which it has never been separated) refer to a Faculty of Surgery, an error in drafting, for such a faculty has never existed. It has been claimed that surgery is definitely part of the Faculty of Medicine, as no doubt it is, and that therefore the Master in Surgery incepts in one of the higher Faculties, and takes the privileges of that Faculty.

The Edwardian statute of 1549 combines Medicine with Surgery. The student of those subjects was expected to study medicine for six years, see two anatomies, dispute twice and respond once before becoming bachelors; and to perform two anatomies and effect three cures in medicine, before being admitted to practise.² Licence to practise surgery was quite distinct. For instance, in 1573 Joachim Wolphe was licensed to practise in surgery provided that he did not intermeddle with medicine.³ In 1624 the Tomlins Lectureship in Anatomy was founded, but degrees in Medicine and Surgery continued to be rare. It is probable that the degree of Master of Surgery ranks with that of M.A.,⁴ although

¹ *Statuta antiqua*, 187-8, *Laudian Code*, tit. viii, &c. This royal injunction was incorporated into the Laudian Code (ed. Griffiths 139), and is still current (*Statt.* tit. xi. § 2). The same order is found in tit. x. ii. § 1, 'De personis ex quibus constat magna Congregatio . . . Secundo, Omnes Doctores in Sacra Theologia, Medicina, vel Jure Civili, et Magistri necessario regentes'. The order of the Faculties, however, in the Commissioners' Statute of 1923 is Theology, Law, Medicine (*Statt.*, tit. v, sect. ii, § 1. 1). See also Plate I.

² *Statuta antiqua*, 346.

³ Univ. Reg. KK 152^v.

⁴ The Master of Surgery pays the same fee as a M.A. in taking his degree; if one or other degree is already held no fee is payable.

superior to it. It may be that Masters of Surgery should walk before the M.A.s and immediately after the Proctors, but they could make a strong case to rank immediately after the doctors, provided they are also M.A.s. But even that is anomalous because they really have incepted in a study closely allied to Medicine.

In the early years of the fifteenth century the University was faced with the very troublesome question of the wrongful assumption of titles. Here the Bachelors of Canon and of Civil Law were the offenders, claiming as they did to be styled doctors. Probably their chief reason was that since there were so few doctors in those faculties most of the lecturing devolved on them, but the University professed to see in their action a blow aimed at the very root of the constitution and one wholly subversive of the body politic. If, said the University, Bachelors of Law were allowed to style themselves doctors then every one would want to enter that complaisant faculty; moreover, no one would ever need to proceed to the higher degree. The prospect of Oxford becoming a mere nursery for Bachelors of Law to the exclusion of all others was a discouraging outlook indeed;¹ fortunately the danger passed.

Lastly there remains the claim of bachelors of a superior faculty to take precedence over Masters of Arts. The bachelorship in any faculty is an inferior or half degree. As the University put the case, there are 'in singulis predictarum facultatum bifarius gradus, scilicet inferior, puta baculariatus, quasi semigradus, et superior, ut magistratus'.² The Proctors' manuals strongly support the superiority of the bachelorship in Theology, but reject the right of B.D.s to precedence, in other words, to walk in front of the Proctors. It was generally admitted, however, that the B.D.s had the right to precede Masters of Arts.

Turning from the question of faculty precedence to that of general precedence certain principles have always been ob-

¹ *Epistolae Academicæ Oxon.*, ed. H. Anstey, i. 130-3.

² *Ibid.* i. 130.

served from early times: seniority within the Faculty depends on the date on which the degree was taken.¹ But there are two exceptions, the Vice-Chancellor and the Proctors. When the Chancellor became non-resident the Vice-Chancellor naturally became the senior officer of the University, a position he holds to-day even though he may never have taken a doctor's degree. The Proctors always sit next to the Vice-Chancellor, but it should be stated that both Proctors are absolutely equal, the senior being the one who took his degree first: each has his customary duties.

The earliest mention of precedence in processions is in 1432. The order is given as follows: the Chancellor; non-regent Doctors according to the dignity of their faculty; Masters of Arts; Bachelors of Theology; non-regent Masters of Arts; then beneficed Bachelors who have not taken the Master's degree; all other Bachelors; secular priests who are not graduates; and lastly scholars, all walking two by two.² On 17 August, 1592, Queen Elizabeth most graciously, but perhaps inconsiderately as it was Long Vacation, paid a state visit to Oxford. Those chosen to meet the Queen at the city boundaries were the Vice-Chancellor, some Doctors and Heads of Houses, the two Proctors, and a few Masters: on the line of route it was ordered that 'Every man shall stande to entertaine her Majestie as shee passeth by according to the order following. 1^o The Doctors at Christ Church Gate, 2^o the bacchilers of Divinitie, 3^o Masters of Arts and bacchilers of Lawe,³ 4^o bacchilors of Arts, then the schollers of howses in theyr schollers gownes and cappes, Lastlie the gentlemen and Halliers as farre as they will reache unto St. Gyles.'⁴

¹ The usual College, as opposed to University, practice is independent of degrees, the Fellows taking precedence according to the date of election to their Fellowship.

² *Statuta antiqua*, 239.

³ In 1578 it was decreed that Bachelors of Civil Law, who were not Masters of Arts, should give place to Masters of Arts (*Statuta antiqua*, 411-12). It was possible to enter the University as a Law student and to take the degree of B.C.L. without taking part in any of the exercises in Arts. See also *Statutes of the Colleges*, iii. 39 (St. John's).

⁴ Clark, *Reg.* II. i. 229. 1661. Procession. Bedels, Verger, Vice-

In 1715, at the installation of the Earl of Arran, the order given is: the Vice-Chancellor, Noblemen, Doctors, Proctors, Masters. On this occasion the Heads of Houses were assembled together in the Apodyterium.¹ At the installation of the Earl of Westmorland in 1759 the order was Heads of Houses, Doctors, Proctors, and Noblemen.² A few years later the Encaenia order crystallized into 'Noblemen, Heads of Houses, Doctors, Proctors, and Gentlemen who partake of Lord Crewe's benefaction.'³ With this lack of authority all that can be said is that although the Noblemen shared the semicircle with the Doctors, they never had precedence over the Heads of Houses except when going out as Grand Compounders.

In 1830 the Proctor's book asserts definitely that the Proctors 'enter last', a later hand being at pains to add 'i.e. after the Doctors'. However, until the 'eighties of the last century, those Heads of Houses who had not proceeded to the doctorate claimed precedence. Then the Proctors reasserted their ancient right of being the senior M.A.s. This has now been admitted, but on occasions the Proctors, while asserting their right, have waived it personally out of respect to the position of Heads of Houses. A similar courtesy is paid to the Proctors on certain occasions, notably after their installation and the installation of a Vice-Chancellor, when they are allowed to walk immediately behind the Vice-Chancellor and in front of the Doctors.

Chancellor, Public Orator, Noblemen, Doctors, and Masters of Arts. 1663. Procession (funeral). Verger, Bedels, Vice-Chancellor, Public Orator, Doctors, Proctors, and Masters of Arts. 1681. Procession. Verger, Bedels, Vice-Chancellor, Doctors, Proctors, and Masters of Arts (Wood, *Life & Times*, ed. Clark, i. 412, 482, ii. 527).

¹ Reg. Conv. Bd. 31, f. 127. Hearne's *Collections*, v. 114-16.

² Univ. Arch. N.W. 1. 29.

³ In the *Bedel's Book* 2 the 'Form of the Procession from the Vice Chanc^{rs} College on Commemoration day' is 'The Virger, Bedells, Vice Chanc^r, Noblemen, Heads of Houses & Doctors, The Proctors, Professors & Librarian'. The date is about 1800. When peace with France was proclaimed on 13 Feb. 1798 the order at St. Mary's was: 'Vice Chancellor, Heads of Houses, Proctors, noblemen . . . in their Gowns' (*Bedel's Book*, 2). The Bidding Prayer (see p. 113), gives the Chancellor, the Vice-Chancellor, Doctors, Proctors, and Heads of Houses.

Dr. Pember, when Vice-Chancellor, expressed the view in conversation that there were certain occasions when the Vice-Chancellor and Proctors formed as it were a *Collegium*, and therefore walked together, the Proctors on either side of the Vice-Chancellor but a little behind him, as is the custom in processions at Cambridge.

Modern Usage

In Convocation and Congregation the Doctors of Divinity sit on the right hand of the Chancellor or Vice-Chancellor, and the other doctors, except those of Philosophy, on his left. This is customary, but not in accordance with Statute.¹ The Proctors sit on either side of the Chancellor or Vice-Chancellor.² The only solemn processions are those at the Encaenia and on the rare occasions of royal visits. The following is the probable order, though the matter is not laid down by Statute.³

The Chancellor, or Vice-Chancellor.

The High Steward.

The Vice-Chancellor if the Chancellor is present.

Burgesses.

Doctors of Divinity.

Doctors of Medicine.

Doctors of Civil Law.

Doctors of Letters.

Doctors of Science.

Doctors of Music.

Doctors of Philosophy.

The Proctors.

Probably Masters of Surgery, but in practice they take their place among the Masters of Arts.

¹ Tit. xi, § 2 (an injunction of King Richard II).

² For a fuller discussion of this see p. 58.

³ By a long standing arrangement between the Faculties of Medicine and Law the senior in one faculty takes precedence over the junior in the other (*Laudian Code*, 139-40, and *Statt.*, tit. xi, § 2). There were, however, squabbles about this in the seventeenth century (Wood, *Life*, iii. 14-15). In processions the two faculties now unite and the members walk in order of seniority two by two.

Heads of Houses not being doctors.

The Registrar. In the Encaenia Procession he is marshal of ceremony and by virtue of his office walks at the end with the Public Orator.

Masters of Arts. Those who hold bachelor's degrees in the higher Faculties take precedence over others of the same standing.

Bachelors of the higher Faculties and Letters and Science.
Bachelors of Arts.

Scholars on the foundation of a College.

Commoners and scholars not on the foundation.

ACADEMICAL DRESS¹

ALL students of the University were in medieval times *clerici* and, as such, wore the dress of the secular clergy; this is the academical costume we wear to-day, with certain changes introduced in the sixteenth century by Protestant reformers

¹ The history of academical costume is one of great difficulty and one which at present has no authoritative historian. The following list gives references to illustrations of Oxford costumes and to the chief contributions to the study of the subject:

The Chaundler MSS. Ed. by M. R. James. 1916 (Roxburghe Club).

Contains a collotype reproduction of a fifteenth-century drawing of William of Wykeham surrounded by members of New College.

Edwards (George). *Omnium ordinum habituumque Academicorum exemplaria*. n.pl. [? Oxford], [1674]. This work, which contains eleven plates of costume, was reissued about 1680 with the title *Habitus academicorum Oxoniensium a doctore ad servientem*, and with the imprint 'Sold by I. Oliver on Ludgate hill at the Corner of the Old-Baily'.

Loggan (D.). *Oxonia illustrata*. Plate X (containing 37 cuts). Oxon., 1675. This is the best and most extensive series of illustrations of University costume.

Twenty-five engravings by Grignon after drawings by Huddesford and Taylor. [1770.] (*Bodl. Top. Oxon. a. 72* and *Univ. Archives N.W. 1.*) 10. Executed for the University as official patterns. These engravings were published in various states as late as 1807 (cf. *Bodl. Oxon.* 8°. 423; *Oxon.* 16°. 21).

Roberts (James). Thirty-one coloured drawings. 1792-4. (*Bodl. MS. Top. Oxon. d. 58.*) This is the finest coloured series of Oxford academical costumes.

The academic costume of the University of Oxford, exemplified with twenty-five plates. Engraved and published by Taylor. Oxford, [1807].

Uwins (Thomas). Seventeen pencil sketches for the plates of costume published in Ackermann's *History of the University of Oxford*. (*Bodl. MS. Top. Oxon. d. 130.*)

Ackermann (R.). *A History of the University of Oxford*. (Plates at end of Vol. II.) London, 1814.

The costumes of the members of the University of Oxford. Drawn, engraved and published by N. Whittock. London [c. 1840].

Various illustrations of costume in *Bodl. Top. Oxon. a. 72*.

A group of puppets in procession portraying the various gowns worn in the University about 1850. (Ashmolean Museum.)

Clark (Prof. E. C.). English academical costume (mediæval). (*Archæological Journal*, 1 (1893), 73 sqq.)

Rashdall (Dr. H.). *The Universities of Europe in the Middle Ages* (1895), II. ii. 636 sqq.

[Note 1 continued on p. 20.]

who inclined rather to the adoption of civilian gowns than to the continuance of academical habits which they associated with popery and superstition. Apart from the adoption of the lay gown in recent times by the new doctorates, and by the bachelors of all faculties, except Arts, the changes which have taken place are mostly in the nature of a definite evolution rather than of conscious legislation. The monastic orders normally wore their own costume even within the University, but the founders of some of the colleges, including New College and some of the Cambridge colleges, explicitly refer to canonical requirements and insist on proper clerical, i.e. secular dress. The medieval statutes lay greater stress on the costume of graduates than of undergraduates, but there is no reason to doubt that, as in modern times, all members of the University wore distinguishing dress.¹

The articles of academical dress mentioned in the oldest part of the Chancellor's Book are the *roba*, *cappa*, *pallium*, *cappa manicata*, *chimera*, *tabardum*, and *tunica*. The robe was a loose gown over which was worn the *cappa* in its various forms. The *cappa clausa* was a full-length closed gown with a single opening in front for the hands. The *pallium* was

Lacey (Rev. T. A.). The ecclesiastical habit in England. (*St. Paul's Eccl. Soc. Trans.* iv (1897), 126 sqq.)

Robinson (Rev. N. F.). The black chimere of Anglican prelates. (*Ibid.* 181 sqq.) This is a specially valuable article and has a very useful key to the New College drawing in the Chaundler MS.

Atchley (E. G. C. F.). The hood as an ornament of the minister. (*Ibid.* 313 sqq.)

Robinson (Rev. N. F.). The *pileus quadratus*. (*Ibid.* v (1901), 1 sqq.)

Clark (E. C.). College caps and doctors' hats. (*Archaeological Journal*, lxi (1904), 33 sqq.)

Wells (J.). *The Oxford Degree Ceremony*. 1906.

Encyclopædia Britannica, 11th ed. (1911), art. 'Robes'.

Register of the members of St. Mary Magdalen College, Oxford. New Ser. viii (1915). Appendix, v-vii.

Beaumont (E. T.). *Academical habit, illustrated by ancient memorial brasses*. 1928. (Typescript.) This work very conveniently summarizes the foregoing authorities.

For example, a statute of 1432 (*Mun. Acad.* 301) orders graduates to wear a dress which would distinguish them from non-graduates; we should perhaps have put the matter the other way round.

similar to the *cappa clausa*, but had openings at the sides. The *cappa manicata* was a long, sleeved gown apparently worn by regent D.M.s and D.C.L.s, at least in the early period.¹ The *cappa nigra*, or *chimera*,² a black sleeveless gown shorter than the *cappa clausa*, was the distinctive dress of the regent Artists. The *tabardum*, a kind of tunic with short wide sleeves, was the ordinary dress of the bachelors, but was also worn by graduates; while the *tunica* corresponded to what we know as the cassock. All these robes, except the *tunica* and *chimera*, were also worn with fur trimmings and linings:³ later silk and satin were also used. In the fifteenth and early sixteenth centuries the following materials are found: in furs, miniver, wild cat, rabbit, lamb, black lamb (*boge*), wolf, and fox; in fabrics, silk, satin, frieze, and cloth.

To-day we wear the dress of the senior degree which we hold,⁴ but it would appear that in medieval times graduates wore, apart from official acts, the most comfortable costume to which they ever had a right. The habit (*cappa*) was an inconvenient garment, and normally a tabard, the distinctive dress of bachelors, was worn. It has been suggested that the tabard was the ancestor of the scholar's gown, and that the

¹ *Statuta antiqua*, 56. This was the practice at Cambridge (*Documents rel. to the Univ.* i, 388). There is only one reference to it in the Oxford statutes. It seems also to have been worn by bachelors (*St. Paul's Eccl. Soc. Trans.* iv. 211-12).

² 'The black chimere has a common origin with the scarlet habit or chimere of an Oxford Doctor of Divinity. It is a form of tabard . . . which was worn as a civil dress by persons of different classes, clerical and lay, both in England and on the Continent' (*St. Paul's Eccl. Soc. Trans.* iv. 188). There is no doubt that at Oxford *cappa nigra* and *chimera* indicated the same gown (*Statuta antiqua*, 39, l. 23 and note).

³ *Statuta antiqua*, 97. Bachelors did not ordinarily wear furred gowns. (Before 1350) Theologians in scholastic acts were forbidden to use miniver on their *cappae clausae* or *pallia* in place of lamb's wool. (1451) A certain B.Can.L. was not allowed to have fur either on his habit or his robe until he held a higher position or had taken a higher degree. (1522) A B.Can.L., who was an archdeacon and a bishop's chaplain, was permitted to have his *pallium* and other garments lined with fur and silk as became the quality *tanti viri* (*Statuta antiqua*, 52; Boase, *Reg.* i. 14, 124).

⁴ But Doctors who are also M.A.s frequently wear M.A. gowns for reasons of economy. This is, however, contrary to Statute.

vestis talaris can be traced in its various stages up to the modern commoner's gown.

The laced gown, now worn in undress by all doctors, except those of Divinity, and by Bachelors of Divinity, Civil Law, &c., is the lay gown of the sixteenth century. In its most atrophied form it appears as the modern undergraduate's gown in which the sleeves have been reduced to mere streamers and the hem reaches only to the waist.

The predominant colour of academic costume to-day is black. This is not inappropriate since black has always been associated with the Faculty of Arts, *fons et origo caeteris*.¹ Uniformity of colour was not demanded previous to the sixteenth century. Doctors might wear gowns of any colour provided the same colour was used throughout. The wills and inventories recorded in the Registers of the Chancellor's Court show what variety there was.² But among such a mass

¹ *Statuta antiqua*, 142. (1576) 'no maister of Art nor other of lower degree shale weare any cloake of other colour then Blacke' (*Statuta antiqua*, 404).

² Some extracts from wills and inventories:

1450. Master John Swan, fellow of Oriel. [Inventory.]

'Unam togam blodii [blue] coloris lynyd cum albo fryse—Aliam togam de Melley cum beuer purfyll [border] et albo lynyng—Unam taberde cum capicio eiusdem blodii coloris cum furre de meneuer' (*Reg. Canc. Oxon.*, ed. H. E. Salter, i. 225).

1451. Henry Calday, M.A. [Inventory.]

'Una toga curta viridis coloris cum capicio—Unus habitus blodii coloris cum capicio penulato [furred] magistro Parys—Toga talaris, capicium cum habitu viridis coloris domino Begge' (*ibid.* 239). For Henry Caldys, see *Epist. Acad.* (ed. Anstey), i. 147-8; *Reg. Canc. Oxon.* i. 21, 111, 235, 237; Peter Parys was an M.A. (*Reg. Canc. Oxon.* i. 215, 236, 249, 286, 338); Richard Begge was an M.A. (*Reg. Canc. Oxon.* ii. 207; Boase, *Reg.* i. 18).

1452. Richard Broune, LL.D. [Will.]

'Unam togam longam meam de blodio foderatam [lined] furratura vulpium de Iseland'—Unam togam de scarleto foderatam cum capicio de scarleto [The capicium had also a lining of miniver: this was otherwise disposed of]—Unam togam viridem longam cum tabardo et capicio eiusdem coloris foderatam cum menevere [To John Beke, D.D.]—Unam longam togam de violet ingrayne foderatam cum putys et capicium ad eandem foderatam cum menevere una cum habitu pro doctore iuris ciuilis de panno similis coloris [To John Segefeld, M.A.] (*ibid.* 304).

When John Seggefylde died in 1457 only a tabard of murrey, a

of evidence it is remarkable that there seem to be only two entries which definitely connect an article of dress with a particular faculty. The first occurs in the will of Richard Broune (1452), where a violet habit of a D.C.L. is mentioned; the other in the will of Thomas Banks (1503): 'I bequeath to Doctor Avere my old non-regent habit with a furred hood and another hood of green silk which I had for the degree of Bachelor of Divinity.' Nor are representations in manuscripts common. In the Chancellor's Register there is an illumination representing the Chancellor in a red *cappa* with a hood of miniver, and in [Bodl.] MS. Digby 233, an English manuscript of the early fifteenth century, is a miniature representing a monk presenting a book to a King, who is attended by an official in a red pallium with a blue hood trimmed with white fur. It has been suggested that the artist has repre-

short gown of murrey, and a long gown of 'medylley' are mentioned in his will (*ibid.* 387).

1466. William Aylezarde, D.Can.L. [Inventory.]

'Una capa scolastica de scarleto—Una toga coccinea cum capicio sericato—Toga blodia cum capicio penulato—Toga subrubei coloris cum capicio—Clamis rubei coloris'. The various words for red should be noted (*ibid.* ii. 232).

1503. Tho. Banke, D.D. [Will.]

'habitum meum antiquum non regentium cum uno capicio pennulato et alio capicio de serico viride quem habui pro gradu bacallarii theologie' [To Dr. Avere, D.D.]. (Univ. Reg. C 210^r.) John Avery was Vice-Chancellor in 1507.

1507. Thomas Qwarendon, M.A., Exeter College. [Inventory.]

'Item a gowne of russete with an hode—Item an holde gowne of tawny furred with blake lambe' (Reg. 7, f. 3^r).

William Thomson, M.A., junior Proctor. [Inventory.]

'Item a blew gowne—Item ii russet gownys with wodes [hoods]—Item an abytt with a sylke hode' (*ibid.* f. 28^v).

1508. John Morcote, M.A., of Beam Hall. [Inventory.]

'Item a vyolett gowne with a hooode—Item a blew gowne with a hooode—Item a vyolett abytt with ii hoodes one furred with menyver a nother with grene sylke—Item a vyolett gowne—Item a vyolett hooode A blew hooode—Item a tawny gowne furred with blake' (*ibid.* f. 45^r).

1513. Master John Hertburn. [Inventory.]

'Imprimis a darke tawnay gowne with a hode longe lynyd with blake clothe—Item a other longe gown with a hode off darke tawnay lynyd with cloth blak—Item a old gowne off vialet with a hode old lynyng—Item a regentt cape with a hode furred with mynyvere' (*ibid.* f. 191^r).

sented a D.C.L. It cannot be stated with any certainty when colour became generally associated with faculties, but red and violet have for some centuries been associated with the higher faculties. Apart from being a faculty colour, red was also the colour of dignity, and persons created Masters of Arts in the sixteenth and seventeenth centuries were invested with scarlet robes; for ordinary degrees masters wore black. By the middle of the seventeenth century the doctors' habit¹ had assumed more or less its modern appearance. The Doctors of Divinity always retained the habit, but at the beginning of the nineteenth century the doctors of the other faculties, unless they were professors or had occasion to present for degrees, as a rule discarded it.²

The hood (*caputium*), which is so distinctive a feature of our modern academical dress,³ is curiously enough not mentioned in the statutes until 1432. From then onwards, however, it is frequently a subject for University legislation. The statute of 1432 (*De admissione ad pelluram*) ordains that fur and silk were not to be worn unless *ratione eminencie gradus magistralis, excellencieve sanguinis aut magnitudinis in promociione*, in other words used only by masters or licentiates, persons of noble birth, or of sufficient financial status. The linings mentioned are those of miniver, white or grey fur, silk, sindon, or tartarin.⁴ Ordinary bachelors wore hoods lined with

¹ See p. 37.

² *The Oxford University and City Guide* (1821), 173.

³ The medieval hood was a kind of cape worn over the shoulders and reaching nearly to the elbows. To this was attached a covering for the head which had at its extremity a pendent tail, called a liripipe. This, when long enough, could be worn round the neck. In the statutes of Magdalen (1479), Corpus (1517), Cardinal College (1527), and St. John's (1555) liripipes, typetts, and mufflers (torques) are identical. In the borders of the Romance of Alexander (MS. Bodl. 375), a manuscript written and illuminated in the fourteenth century, are many representations of children wearing hoods with liripipes, head-gear especially suitable for catching butterflies, blind man's buff, and games demanding soft-falling weapons. The Romance of Alexander has been reproduced in collotype.

⁴ *Statuta antiqua*, 239. In the fifteenth century masters were allowed to wear silk hoods in summer (ibid. 233). In the following century at Cambridge non-regent hoods were lined with silk, cf. *Doc. relating to Univ. of Cambridge*, ii. 259, *Statutes of Caius College* (1557).



A Doctor of Divinity (1361)
wearing the pileus, capu-
tium, and pallium. (Beau-
mont, *Academical Habit*,
1928)



Masters of Arts (15th cen-
tury) wearing hoods and
liripipes. (*The Chaundler
MS.*)

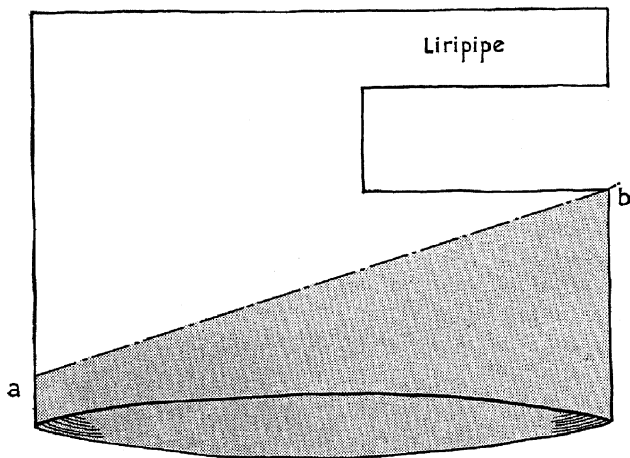


Diagram of the modern doctor's hood (see p. 25)

inexpensive skins.¹ In 1490 we read that bachelors, careless of their own salvation and the ruin of the whole University, were wearing their hoods only meagrely *edged* with fur.² The differentiation of the colours of hoods in academical costume is of uncertain date.³ It is not possible to say when red became associated with Arts.⁴

Originally undergraduates, unlike their modern successors, wore hoods, but a fifteenth-century statute complains that they were wont to wear hoods like those of the Masters. The University forbade this, and they were only allowed to wear hoods with liripipes sewn on to them.⁵ These undergraduate hoods survived in two forms until recent times. The Student of Civil Law, a status not unlike the modern 'Senior Student' but limited to the Law Faculty, wore a hood of blue, not like our modern hoods black outside and lined with the faculty colour, but consisting as it were of the lining alone. Secondly all candidates, except those for Responsions, wore a little black hood at viva voce examinations.

The larger portion of the medieval hood has disappeared in the Master's costume (below *a*, *b* in the illustration), leaving the liripipe and little more. Further, with alteration in shape, it has become impossible to gather the hood round the neck, or to wear it on the head, so that a piece of ribbon has been inserted at *b*, and that side is now open. In fact it is difficult when looking at a hood as now worn to understand its relation to the original form, but if laid flat, so that only

¹ The present Registrar remembers being told, when a boy, by an old Doctor of Divinity who was something of an antiquary, that the rule both at Oxford and Cambridge was that a bachelor's hood must be lined with the fur of some animal indigenous to the British Isles unless he was a nobleman, when the lining might be of silk.

² *Statuta antiqua*, 297.

³ After the New Year's dinner at Queen's College the Bursar hands round needles and silk thread (black, red, and blue), the original purpose being apparently to mend a torn hood. It has been suggested that the colours were those of Faculties.

⁴ In a coloured copy of Loggan's cuts, dated 1716, the M.A. hood is white, doubtless a regent's (*penes S.G., olim Phillipps MS. 24809*).

⁵ 'Nisi liripipium consutum habeat et non contextum' (*Statuta antiqua*, 297).

the outside shows, the changes which have taken place are clear. The Proctors' miniver hoods are worn inside out, and in such a way that only the white fur shows. The method of wearing seems to be traditional, and the hoods are always carefully arranged by the cloakmen. This fashion in hood-wearing may be referred to the paragraph in the Laudian statutes¹ in which it is stated that after the admission of the Proctors, when Convocation has been dissolved, the Proctors, *caputiis obversis*, shall together with all the masters escort the Vice-Chancellor to his lodgings. The mention of the turned hoods has been omitted from the Statutes since 1856, but the Proctors now wear the hood turned (if this interpretation is correct) on all occasions.

The Proctors' and Pro-proctors' gowns as well as the M.A. gown (but no other) of all ex-proctors have a tippet, now reduced to a series of folds of cloth attached by one button to the yoke on the left-hand side. The origin of this proctorial tippet is obscure. Dr. Wells in his book on the degree ceremony suggests that it is the remains of a purse, a view that may be said to be traditional. It is true that at one time the Proctors did carry a purse. A Rector of the University of Paris in the fourteenth century (and Rectors and Proctors had much in common) is shown with a violet purse.² But the history of the Proctors' tippet does not seem to support the purse theory. In the seventeenth century, drawings of the Proctors' gown show that at this time the tippet formed a short cape falling over the left shoulder and secured by two buttons, one on the shoulder and one on the back. It is just possible that this is a survival of the cape, represented on the Chancellor's seal as being worn by the Chancellor and Proctors, but as stated on page 24 this cape is more probably part of the hood. In portraits at the end of the eighteenth and the beginning of the nineteenth century, the tippet has ceased to fall over the shoulder, but still has two buttons: the undress gowns of noblemen, although of the shape of

¹ Ed. Griffiths, 172; *Corpus Stat.* Add. 575.

² *Archaeological Journal*, l. 97.

a modern scholar's gown, are also represented with tippets. They were also worn by Collectors.¹ While it would be very appropriate for these officials to carry a purse, the history of the tippet, and the fact that it was worn by such diverse people, make it unlikely that it is really the survival of the purse.

Caps have caused more controversy than any other article of academical dress. Originally, the *pileus*, the round cap, was the mark of doctoral dignity. Other head coverings were the *tena* and the *birretum*. The *tena* seems to have been the *pileus* with strings which were tied beneath the chin. This was the cap worn by jurists. The only reference to it in the statutes is one prohibiting bachelors when lecturing from wearing either *tena*² or *birretum*, the latter being a square form of the *pileus*.

In 1565 the *pileus quadratus* (the square cap) became obligatory, only illness or indisposition being recognized as sufficient excuse for not wearing it.³ But the faculties which had become laicized adopted the Tudor bonnet, and this bonnet is still worn by the doctors of these faculties. The bachelors not having a right to academical caps of any kind did not adopt the bonnet and so do not wear it to this day, although they acquired the lay gown. The original shape is extremely well preserved and there is even now little difference between the bonnets of the Yeomen of the Guard and those of Doctors of Medicine, Law, and Music. The former have a little more stiffening in them and are slightly higher. The Laudian

¹ See p. 45.

² *Statuta antiqua*, 229-30. The word, however, occurs once in an earlier statute but with a different meaning (*ibid.* 37). This statute orders doctors on official occasions to wear the *pileus*, and all, even legists, to wear it *sine tenis* (without strings). In 1506 a B.Can.L. was warned not to wear a *pileus fibulatus* (a buckled cap), and in 1530 an M.A. was allowed to wear his *pileus* while on circuit but with a *ligula sub collo*, a chin strap. (Boase, *Reg.* i. 43, 159.) The earliest printed representation of the Oxford *pileus* is in the device used by John Scolar in 1517: it consists of the arms of the University surmounted by a *pileus* (Madan, *Oxford Books*, i, plate vi). See also Twyne xii, pp. 124-5.

³ *Statuta antiqua*, 386. Some years previously the *hypopileus* (coif or skull cap) seems to have become popular, but it was forbidden except in case of illness (*ibid.* 349).

statutes however, taking the meaning of the words then current, call these caps *pilei rotundi*, a very natural designation. In the University arms this bonnet has been substituted for the old cap, and has become even more conventionalized. In 1617 the use of the round cap was extended to noblemen, gentlemen, and other *commensales*.¹

Some years later a serious controversy about wearing caps in assemblies broke out. An observant member of the University, Henry Wightwicke, having noticed in a window in St. Mary's a representation of masters sitting covered in the Chancellor's presence, 'clapt on his hat' in the Convocation House and not only incited the masters to do the same, but promoted a petition to be sent to the Chancellor. For thus endeavouring to subvert the honour of the University, Wightwicke was banished.² Later, in consequence of a petition presented by Gilbert Sheldon and others, Convocation decreed on 20 December 1620 that,

'It seemed good to that full assembly that all masters of whatever rank may wear caps (*pileos*) in the House of Congregation and Convocation; but on these conditions, that at the above meetings the aforesaid masters shall always wear, and each one of them shall wear, academic caps and only square academic caps'. 'Nor shall it be lawful to sit with uncovered or bare head, or without cap; if any one offends in the above, or in any of the above, or shall use a beaver (*galerus*), not only shall he be deprived of his vote in the House of Congregation and of Convocation on that occasion, but also he shall be removed from them, and at another time punished at the discretion of Mr. Vice-Chancellor. Finally it is decreed that, under the above conditions and not otherwise nor in any other way, at the next Congregation at the beginning of next Hilary term and so in future for ever, all and every master of whatever condition soever, Regents as well as non-Regents, shall wear square academic caps in the House of Congregation and of Convocation.'³

¹ *Statuta antiqua*, 525. In the Laudian Code the round cap was to be worn by inceptors in the Faculties of Music, Medicine, and Law, whereas inceptors in Theology were to use the square cap.

² Wood, *History*, ii. 317. See also Twyne xii, pp. 135 sqq.

³ Reg. N 100v (transl.).

It is satisfactory to know that Wightwicke lived to become Master of Pembroke and Sheldon to become Archbishop of Canterbury. In spite of the words 'for ever', within a very few years even the Vice-Chancellor was wearing a hat in the Venerable House.¹ Not only were caps threatened, but the whole of academical dress. This was not a movement on the part of the University, but rather a feature of the Puritan revolution,² and in less than thirty-five years of the promulgation of the Statute which ordained the wearing of caps on academic occasions for ever, there was a movement in the University 'to take away all Statutes that require the use of Habits'. In 1658 a motion put before Convocation by the Vice-Chancellor that the statute commanding the use of caps and hoods be abrogated, was defeated only by the energetic action of Walter Pope, one of the Proctors. It was about this time too, that the general practice of the clergy removing the cap in church and elsewhere became general, probably because the Puritan laity refused to remove their hats. From then onwards the Vice-Chancellor, Proctors, and public lecturers alone retained their caps in University ceremonies.³

Academic boots are no less puzzling than caps, as the words designating them vary in meaning through the centuries. In medieval times it was laid down⁴ that inceptors in Theology and Canon Law should wear boots (*botys*) and other Masters *pynsons*. At another time Masters, both regent and non-regent, were instructed to wear *caligae*, black or nearly black.⁵ In Elizabethan times masters enjoyed special privileges in regard to boots, a variety of words being used; *ocreae* is the

¹ Wood, *History*, ii. 635.

² Even in Elizabeth's reign some members of the University, including the then President of Magdalen, objected to the use of academic dress. Wood, *History*, ii. 156; Wilson, *Magdalen College*, 120.

³ Wood, *History*, ii. 668; Pope, *Life of Seth Ward* (1697), 40-3. One practice alone survives from the 1620 Statute: round bonnets are not worn with Congregation habits, but only with full dress. Some new graduates carry bonnets when they make their bow to the Vice-Chancellor after receiving their degree, but this should not be done.

⁴ *Statuta antiqua*, 288-9.

⁵ Ibid. 58, a fourteenth-century statute. In the sixteenth century *caligae* meant stockings or leg-coverings (ibid. 386, 388).

one which appears most frequently, and is found in the Laudian Statutes. In January 1623, however, the wearing of *ocreae* was forbidden to all members of the University under penalty of a fine for graduates, and a whipping for undergraduates.¹ The wearing of such boots continued to be an offence for over a century and a half, the word being interpreted according to the fashions of the times.

As might be expected, Archbishop Laud kept a sharp lookout for indecencies of apparel. In 1630 he expressed his disapproval of

'gownes which are nowadayes ordinarily worne by Masters of Arts, and freshmen, which they call M^r of Arts gownes, soe as ther is noe distinction by the habit betweene M^{rs} of Art and undergraduates; his Lo^p: committed the redresse of this inconvenience to the wisdom, and care and ordering of that assembly, but withall signified his owne opinion by the great dislike thereof, it was therefore proposed, and with full consent concluded that noe such gownes should any more bee worne in the universitie after those were worne out of that fashion which are allredie made: the heads of howses therefore promysed to giue warneing to their severall companies, & the Vicechancellour, to charge the Taylors to make noe more such gownes.'²

The Vice-Chancellor communicated this censure to the Heads of Houses, and John Thimble, the bedel, noted it down in his memorandum book. In order that there should be no doubt on this matter the Laudian Code made provision for patterns of cheap material to be preserved permanently as standards. It was, however, necessary from time to time to issue additional regulations for the guidance of the junior members of the University. The following were published by Dr. Fell in 1666:

1. Servitors Gownes to haue round Capes and Sleeues hanging behind the Shoulder without any Buttons.³
2. The Battelars Gowne altogether the same with the Servitors, excepting that the Cape be square.

¹ *Statuta antiqua*, 547.

² Univ. Arch. N E P *supra* 15.

³ The 'buttons' correspond to what is now called the pleating.

3. The Commoners Gowne to be distinguished from the former by having halfe a dozen of Buttons on each Sleeue not exceeding the price of Five shillings the dozen, nor the bignesse in the publique Pattern.
4. The Gentlemen Commoners Gowne to be halfe sleeued, and if they please to haue Buttons not exceeding four dozen nor the rate of Five shillings the dozen, nor the bignesse in the publique patterns.
5. A Baronetts and Knights Gowne the same with the former, only distinguisht (if they please) with gold or silver Buttons.
6. Noblemen to wear (if they please) coloured Gownes of the same forme with the former.¹
7. Batchelers of Arts and Foundation men that are Undergraduates to weare Wide sleeu'd Gownes, the sleeves not reaching beyond the Fingers ends, nor aboue an ell in Compasse. The Bachelers sleeue to hang at length. The Foundation mens turn'd up to the Wrist.
8. None to weare Mourning Gownes² unlesse upon a cause approved by the Head of the House, and to be allowed by the Vice-Chancellor and Proctors.
9. Servitors, Battelars, Commoners, Gentlemen Commoners of all Conditions being Undergraduates to weare round Caps; Gentlemen Commoners to haue a hat-band upon them; Knights, Baronetts and Noblemen being Undergraduates to haue Velvett Caps with silver or gold Hat bands.
10. That persons studying the Law being aboue four yeares standing in the University, and being entered into the Law Booke be permitted to weare a half sleeued Gowne without Buttons and a square Cap.
(. . . the Gownes, Capps and Habitts . . . to be made and fashioned with all exactnesse possible according to certaine Modells or Patterns in that behalfe allready provided and exposed for recourse to be had unto them upon all occasions . . .³)

¹ The following note is from [Bodl.] MS. Rawl. J 4^o 11, f. 98, 'George Ingram Ld. Irwins son after 1711—Arch. Hamilton Coll. Univ. a marquisson first wore a noblemans gown afterwards quoted as a president by the D. of Boltons son. Sir Tho. Tyrell of New Coll. Bart. first changed his silver tufts & trimming into gold.'

² These seem to have been popular with undergraduates because they were also worn by masters.

³ Reg. Conv. Ta 27, pp. 221-3. 'Item to the Taylor for publique

It was again necessary in 1689¹ to call attention to 'irregularities in scholastical Habits, viz.'

1. That many Graduats and other younger Scholars wear Mourning Gownes without a Cause approved by their respective Governors and allowed by Mr. Vicechancellor and the Proctors.
2. That many Gentlemen Commoners and others weare square Capps with Tuffts that have not performed any Exercise in the Theater to entitle them thereunto.
3. That divers Under-Graduats upon pretence of being Students in the Civil Law presume to weare a halfe-Sleeved Gowne, and a Square Capp that are not four years standing in the University, to the great Scandal of it.

From the Restoration period onwards little uncertainty exists about costume. Loggan in 1675 published his *Oxonia illustrata* which contains thirty-seven representations, and in 1770 the University had the various dresses drawn and engraved for permanent reference.²

Patternes for Gownes 010.14.00' (*V.C. Computus*, 1666/7). The regulations were reissued in April 1690 with the following additions:

To 8: 'And those Gowns so allowed to be made of Cloth.'

To 9: 'The Square Capps not to exceed the breadth of Twelve fingers; and the Undergraduats Capps to have no Tuffts.' (See also Magrath, *Flemings in Oxford*, i. 120, n. 1).

To 10: 'And that noe other person of what Condition soever presume to wear a Square Capp, but onely those who are allowed by Statute.'

At this time the pattern costumes were kept 'in a press by the vestry of the Convocation House' (Reg. Conv. B b 29, at end). A pattern of the dark blue silk used for the gowns of Doctors of Philosophy is kept in the University Registry (Decree 19 June 1917).

¹ Reg. Conv. Bb 29, at end.

² *Corpus Stat. Add.* 102.

'To Messrs. Huddesford and Taylor for 25 Drawings	£	s.	d.
of University Dresses at £1 11s. 6d. each	.	.	39 7 6
'To Grignon for engraving 24 Figures &c. .	.	.	56 4 0

(*V.C. Computus*, 1772/3, 1774/5.)

A set of the engravings is preserved in the University Archives (N.W.1).

ACADEMICAL DRESS

Modern Usage—General

THE general rules for the wearing of academical dress are as follows. Doctors wear their robes,¹ bands, and white ties at the Encaenia, at University sermons marked with a * in the Calendar, and at University gatherings of a formal character (e.g. visits of Royalty, the Encaenia Garden Party).² Non-resident Honorary Doctors wear them when giving University lectures,³ but resident Honorary Doctors wear the same dress as other Doctors. In the Ancient House gowns, habits, hoods, bands, and white ties are worn, with subfusc clothes.⁴ In Convocation and Congregation gowns, habits, and hoods are worn; those Doctors who prefer to sit among the Masters wear their gowns but no habits.⁵ In the presence of the Chancellor, High Steward, and Vice-Chancellor gowns but *not* habits or hoods are always worn even at a private party except on the formal occasions mentioned above.⁶

The rules for other graduates are more simple. They wear gowns and hoods and white ties in the Schools when examining, at the Ancient House, at the Encaenia, and at the Encaenia Garden Party, but at this function ordinary ties are worn. They wear gowns alone in the presence of the high officers of the University, either publicly or privately. But the Proctors and Registrar wear hoods at Convocation and Congregation, and the Proctors, with certain exceptions, at University sermons. Probably this is a survival of the time when the masters always wore their hoods.

¹ In this chapter *robe* is used to denote the doctor's full-dress gown, while *gown* is used to denote the black undress variety.

² D.D.s wear scarves with robes and with gown and habit.

³ Probably because they possess only robes.

⁴ It may be added here that black boots or shoes with dark socks are worn on formal occasions.

⁵ See pp. 21 n. 4 and 110.

⁶ When a formal call is paid or a deputation is received by the Chancellor full dress is always worn, that is robes, or gowns and hoods, and bands.

Neither robes nor hood and habit for the doctors, nor hoods for the other degrees, are worn just because the Chancellor or other high officer is present—for example dining in College—in spite of the custom which has grown up. It has probably come about because usually the Chancellor's visit coincides with a formal occasion.

When one of the high officers is invited to a private house, office, room, or laboratory, his host does not wear academical dress, although both the Vice-Chancellor and the other guests do. The Vice-Chancellor, however, wears academical dress even at his own dinner-parties.

Caps are worn with academical dress always by women,¹ by men only out of doors, with the following exceptions. The Chancellor, Vice-Chancellor, and Proctors always remain covered except in Church, in College, or in a private house. At a public lecture, announced as such in the *Gazette*, the Lecturer remains covered.

It is customary, whether in academical or ordinary dress, to 'cap' the Vice-Chancellor and Proctors, who of course return the salute, and if the Vice-Chancellor is present at a University lecture the lecturer caps him at the beginning and end of his lecture.

¹ Except by members of religious orders who carry their caps when wearing academical dress over their habits. (Male members of religious orders wear academical dress over their cassock, or monastic habit, and the ordinary cap, letting their cowl hang over the shoulders under their gown.) This is the normal practice which has grown up in the University since women were admitted. According to the memorandum, however, issued by the Vice-Chancellor and Proctors in 1920 (the date of the admission of women), it is directed that women examiners in the Schools shall wear 'the hard square cap, *pileus quadratus cum apice*, which is the symbol of proctorial authority exercised by examiners'. There seems to be no reason for suggesting that the hard square cap is a symbol of proctorial authority, although we imagine what was in the minds of the writers of the note was that the Proctors always retain their caps. It might be truer to say that Proctors themselves feel that bands have more magic in them. It is related that a Proctor summoned in vacation from his bed to quell an incipient riot hastily fastened bands to his pyjamas—not unmindful of undergraduate days when a tie was a *sine qua non* at early chapel—and then put on coat and gown. However, in practice, except for one or two careful and law-abiding persons, all women now wear the soft cap on every occasion.

Discussion has sometimes arisen about the wearing of gloves with academical dress, but there seems to be no definite pronouncement on the subject. Portraits well into the nineteenth century show D.D.s and sometimes others wearing gloves, and it was certainly the practice until quite recently for bishops to wear lavender gloves in church and other clergy black. Modern practice, however, seems to imply that gloves should no longer form part of academical dress. The Oxford city companies used to present the proctors with gloves (to the value of 16s. 4*d.*, a careful proctor, writing about 1840, notes), and the Vice-Chancellor presents the Judge at the Assizes with a pair of gold-braided white kid gloves.

As various references have been made to the wearing of bands in describing the dress of certain University officers, it may be convenient to summarize what appears to be the customary procedure to-day. Bands are worn always, whether with academical dress or not, by the Vice-Chancellor and Proctors. Pro-proctors, either regular or special, wear bands when performing their duties. The University Preacher wears bands at a University sermon, and likewise the Public Orator when presenting for a degree. These seem to be the only occasions when bands are worn in the performance of a definite duty. On the other hand, doctors wear bands when in full dress or in Convocation habit. The senior officers of the University, such as the Chancellor and certain other officers, not necessarily doctors, have the right to wear bands on ceremonial occasions. These include Bodley's Librarian (often a doctor), the Public Orator, the Keeper of the Archives, and the Registrar. The last mentioned always wears bands on ceremonial occasions. The Bedels also wear bands on such occasions; formerly they wore them at the University services. It should be noted that the practice of wearing bands has of late years largely fallen into disuse, except by the Vice-Chancellor, Proctors, and Pro-proctors.¹

¹ The evolution of bands as worn in the University has a shorter history than most other articles of academical dress. The original form was no

The use of surplices by Fellows and Scholars of colleges is due to the fact that they were originally members of ecclesiastical corporations, and in this sense surplices can hardly be reckoned to be part of academical costume, although they may to-day be considered as such. At University services the preacher does not wear a surplice, although the choristers do. At the Latin Communion, in addition to the officiating clergy, the Vice-Chancellor and Proctors wear surplices, no doubt because they originally officiated.¹ Probably at one time members on the foundation always wore surplices in chapel, and our modern practice of limiting their use to Sundays and Festivals is a compromise. We have not been able to discover whether surplices were always worn by scholars. At Exeter College scholars were not granted the right of wearing surplices till 1856, but possibly they may have worn them doubt the broad white collar, which in the seventeenth century displaced the Elizabethan lace collar. This was rather the wear of the learned professions and had no particular University significance; it is probably known to most from the portraits of Milton. Towards the end of the seventeenth century this collar became reduced to a form not unlike our modern bands, but each half was much broader. In the eighteenth century every one in the University, including servitors and choristers, wore bands, which by 1761 had developed into a form differing but little from the modern type. At the beginning of the nineteenth century a change seems to have taken place: Ackermann's drawings of 1814 show a small type of bands. A fortunate accident has preserved in the Archives Dr. Bliss's bands, each piece of which measures only $3\frac{1}{4}$ by $1\frac{3}{8}$ in. compared with modern bands of $5\frac{1}{2}$ by $1\frac{1}{2}$ in. This variety appears therefore to have been in existence for some time, as the specimen is probably twenty years later than the drawing. By 1822 bands seem to have become limited to graduates, including B.A.s. By 1840 they appear to have become more or less limited to full dress. They were generally worn as white ties are to-day, but there seems to have been considerable laxity, as in a representation of the degree ceremony of a slightly later date most persons seem to be wearing bands, while others, including the Registrar himself, have an ordinary tie. The appearance of the white dress tie practically killed the wearing of bands in the University, except among the doctors and senior officers. Bands are worn with a white tie by laymen, and with a clerical stock by the clergy.

¹ (Nov. 26, 1636) 'take . . . care . . . that the Vice-chancellor, and he that helps him to execute, (whosoever he be) be in Surplices; but whether the Vice-chancellor will put on his Surplice, when he goes to the Communion, or put it on at the first, and so read Service, and sit at the Sermon in it, I leave to his own Judgement; but I like the latter better, and the Surplice must be under both the Habit and the Hood' (Laud, *Remains*, ii. 123).

formerly. At Christ Church they have the interesting custom of requiring the Junior Students to leave their surplices unbuttoned in front, to prevent, it is alleged, hunting pink being worn underneath.

The surplice as worn in Oxford, and elsewhere, differs from the ordinary surplice in being open in front. From some time in the eighteenth century till the middle of the nineteenth, the ordinary surplice was open in front for convenience in putting it on. Perhaps for similar reasons the academical habit became open after Loggan's time.

The Dress of the Various Degrees

All doctors, whether members of Convocation or not, are entitled to full dress. This consists of a robe of scarlet, with bell-shaped sleeves.¹ The lower part of the sleeve, the facing of the robe and the lining are coloured according to the degree. No hoods are worn with the robe. Doctors of Medicine, Civil Law and Music wear a round bonnet, other doctors the square cap.

The undress 'lay' gown, worn by all doctors (except of Divinity) and by the higher bachelors including since 1923 those of Divinity, consists of a silk or poplin gown decorated with black silk lacing at the sides and in the middle of the back. The sleeves are cut straight and are ornamented also with lace. In the place of a yoke and cut-away collar as in other gowns, there is a silk collar edged with lace which forms a small flap behind, probably a tailor's recent innovation. Doctors wear bands with full dress or when wearing the habit, but not with the undress gown alone. The doctor's hood, worn with the habit, which is a surplice, or, when examining, with the gown alone, is large and full, of scarlet, lined with the proper colour.

Doctors, if they are members of Convocation, are entitled to wear a 'Convocation habit' over their gown on the occasions already mentioned. The habit consists of a scarlet sleeveless

¹ Except Music, see p. 39.

cloak with lining of the proper colour and fastened with two buttons in front, the buttons being of the same colour as the lining. The back of the habit is gathered in a yoke and is cut like the back of a master's gown. The collar of the 'lay' doctor's black gown falls over the yoke, while the sleeves are pulled through the arm openings.

In full dress the Doctor of Divinity wears a scarlet robe with sleeves and facings of black velvet, with an edging of three yellow stripes, with crimson in between the stripes (such an edging is limited to them and the Proctors—it is really the selvage of the velvet to which tailors have attached magic). They wear a scarf, cassock, cincture, and bands. Honorary Doctors of Divinity wear the square cap, others are entitled to, but seldom wear, a biretta in the English fashion, i.e. a soft square cap similar to that worn by bishops. The undress gown is the same as that of the Master of Arts, with the addition of a scarf which is held in place by a loop at the back of the neck and hangs down on either side in front. The habit has two black buttons and the hood is lined with black silk.

Doctors of Medicine wear scarlet and blood crimson, and in full dress the velvet bonnet. Doctors of Civil Law wear scarlet and crimson shot silk. To-day the colours of the Doctors' robes and hoods in Civil Law and Medicine are practically identical. Originally it would seem that blood crimson was the colour for Medicine and blue for Law. To-day the blue is reserved for the Masters of Surgery and for all the Bachelors except of Divinity and of Arts; in fact by a curious change the colours have ceased to be faculty colours and have become associated with rank.

There is no distinction between the colours of the two new Doctorates of Letters and Science, both of which use scarlet and French grey.¹ The doctors of both, like Doctors of Divinity, wear the square cap.

The most recent doctorate is that of Philosophy, but new

¹ Decree, 13 Nov. 1900. Robes, habits, and hoods of too dark a hue are sometimes made.

as it is (the degree was created by the University in 1917) there has already grown up considerable divergency in the differentiating colour. The statute orders dark blue, and the accepted hue corresponds closely to that known as 'navy'. This colour is used for the lining of the hood, the sleeves, and facings of the robe.¹

The most gorgeous of all doctors' robes is that of the Doctors of Music. This is of cream satin brocade with cherry sleeves and facings: the hood is cream brocade with cherry crimson lining. They wear the black laced gown, but have no habit.

The Mastership in Surgery was formerly a rare degree, but it is now becoming more common. The masters have no full dress, although in the past they claimed to wear the scarlet robes of Doctors of Medicine. Dr. Wells in his book on *The Oxford Degree Ceremony* allows them this costume, but Dr. Pember, when Vice-Chancellor, gave a ruling against this, which was undoubtedly in accordance with correct usage. The hood of the Masters of Surgery is of black ribbed silk, lined with light blue silk (not navy).² It is of the shape known in Oxford as 'ordinary'. The blue edging should show in front, a characteristic of the Oxford ordinary hoods, but apparently contrary to the Cambridge practice where the front band has no edging. Masters of Surgery wear the black laced gown.

The most generally worn of all Oxford gowns is that of the Master of Arts, who in many respects holds the most important degree in the University since it confers full membership. The variation in the cut of the gown is both natural, because of the large numbers of gowns and hoods made, and regrettable, because of its importance. The gown has changed considerably since the seventeenth century, but the shape to-day varies little. The gown is not very full and reaches usually well below the knees of the wearer. It is gathered in a yoke behind, the top being stiffened and cut away so as to fit under the coat collar of the wearer. The

¹ Decree, 19 June 1917.

² Decree, 26 June 1923.

sleeves are long, enclosed, and have a crescent-cut at the bottom, probably copied from the shape of the bottom of the hood and representing the remains of a liripipe, long after its original form and use had been forgotten. Alone of Oxford gowns the masters' has this curious sleeve-ending. The material used is either silk or Russell cord, the latter being most generally used, but it is said that it is traditional for the Keeper of the Ashmolean Museum, if not a doctor, to wear a silk gown on formal occasions.

The M.A. hood is made of black ribbed silk lined with shot crimson (the use of crimson is a frequent error on the part of the robe makers). It is made in three sizes according to the stature of the wearer. Of recent years there has grown up the practice of using the so-called clerical hood which is short and deep. This is incorrect; the proper shape should be that illustrated in Plate II. Diversity of practice also occurs in the wearing of the hood—it should be put on in such a way as to show the lining, not to conceal it, that is, it should be worn to show that it was a real head covering.¹

The bachelors of the higher faculties, Divinity, Medicine, Law (Science and Letters being to-day also included among the higher faculties), all wear black laced gowns, similar to the doctors' undress gowns, and square caps. The B.D.s have dwindled to a small body, but they once were a very important, and, to judge from the old Proctors' manuals, a vociferous portion of the community. To-day they have given up their old costume of a master's gown and sash, cassock and cincture, clerical collar and bands, for the more prosaic lay laced gown.² The hood is of black ribbed silk, lined with black, the only bachelor's hood which still retains the same faculty colour as the corresponding doctor's.

B.M.s and B.C.L.s wear a hood of light blue ottoman, with double rabbit fur. The Bachelors of Letters and Science have a similar hood, but the colour is, or should be, not light blue, but grey blue. The Bachelors of Music wear a hood of violet ottoman.

¹ The crescent should face inwards.

² Decree, 26 June 1923.

Bachelors of Arts are, of all graduates, most scurvily treated by the tailors. Their hood should be of Burgon shape, that is pointed, of ample size, with a lining of double rabbit fur; in practice it often consists of a very exiguous poke of silk, with a narrow fringe of rabbit fur. The gown is of Russell cord, with long open sleeves, the points reaching to, or below, the knees. Sometimes a piece of ribbon or elastic is sewn to the sleeve so that it may be fastened to the wearer's wrist for the control of the sleeve.

Undergraduate dress, even in its strictest form, differs slightly from statutable requirements, especially in the use of the cap. We have here followed present practice, even though it may not be formally correct. Scholars wear a black Russell cord gown with a yoke, having short bell-like sleeves, of the same cut as, but less full than, a doctor's or a proctor's gown. Commoners wear a short gown of Russell cord reaching to the waist. It has a turned-over collar similar to that of the laced gown, and no sleeves, their place being taken by streamers decorated with square pleating.¹ This gown is almost certainly a degenerate form of the silk laced gown. Senior students, following rather the old Statutes which declared that a gown should be *talaris*, reaching to the ankles, wear a similar gown which, compromising between waist and ankles, reaches somewhere below the knees, and partially restores the degeneration of the sleeves. The modern undergraduate no longer possesses any form of hood, but frequently and informally wears his gown round his neck, as hoods were formerly worn. In practice caps are not worn by men undergraduates, but they are carried on such formal occasions as examinations, matriculation, in the Ancient House, and when visiting the senior officers of the University. As an undergraduate one of the authors of this book was refused admission to a public lecture at which the Vice-Chancellor was expected to be present because he was not wearing his cap, but probably such action would not be taken nowadays. In fact there are, or used to be, two caps in the entrance to the

¹ A relic of 'buttons'. See p. 30.

Proctors' office for the occasional use of undergraduates who might need them when calling on these officers.¹ Academical dress is worn by undergraduates in the presence of officers of the University, at University ceremonies, in the University Chest Office (where they seldom enter), in the Bodleian library, the Examination Schools, at lectures, and—officially—out of college after 9 p.m. The Proctors' fine books in the earlier part of the nineteenth century contain numerous references to smoking, and as late as the 'nineties it was a college offence to smoke in the quad. Even to-day it is an offence to smoke in academical dress. Popularly the offence of an undergraduate being without academical dress, a misdemeanour which has been more or less recognized since the Statute of 1816, is called 'beaver', probably, as has been explained earlier, a relic of the time when a beaver hat was worn with a gown. In the Ancient House and at University Examinations an undergraduate wears, in addition to academical dress, a white tie, collar and shirt (words which provide an obvious opportunity for scathing witticisms against the less *soignés* of the community), and, for men, 'subfusc'. 'Subfusc' is carefully defined in the Proctors' manuals; it means either a black coat, a dark waistcoat and dark trousers, a dark blue suit, a dark grey suit, or a dark brown suit, with black shoes or boots, and dark socks. This rule is on the whole carefully kept, in spite of changing fashions, but the dignity of the Ancient House is occasionally marred by sartorial ebullitions of fancy,² which are difficult to surmount as the wearers, often coming down for the day only, can with a greater degree of truth offer the feminine excuse that, should they be deprived of their strange garments, they have nothing to wear.

Women's dress differs slightly from the above both in practice and precept. Women's gowns are exactly the same

¹ Huber's *Engl. Universities* (1843), II. ii. 460, contains an illustration of an 'Oxford Proctor requesting a student to put on his gown instead of carrying it on his arm'.

² Elsewhere also, there are variations due to changing fashions. See, for instance, the controversy in the *Oxford Magazine*, Hilary Term 1931, on the wearing of 'plus fours' in Congregation.

as men's, but many of the Masters of Arts, *Magistrae Artium*, have reintroduced the old practice, seldom seen among the men, of wearing a gown of silk or poplin, instead of the usual Russell cord. Women, graduates and undergraduates alike, almost universally wear a soft cap, specially designed for them. The flap at the back is kept buttoned and there is no tassel or bob. It is said that various forms of caps were tried at a famous mannequin parade when the question of academical dress was being discussed just after the War. Unfortunately a description of that interesting episode in University history appears to have escaped a historian. Women, unlike men, wear and do not carry their caps, except those members of religious orders who wear a veil. It was laid down in the original memorandum of 1920 that women examiners in the Schools should wear the hard cap, but in practice they wear almost always the soft cap. The subfusc for women is less varied in its potentialities than that of men. The regulation is a dark skirt, white blouse, black tie, black stockings, and black boots or shoes. A dark coat may also be worn.

Choristers, although not members of the University, have from ancient times worn academical dress. To-day those who hold scholarships wear a small scholar's gown; other choristers have a small gown similar in cut to that of a B.A. but sometimes without a yoke. All choristers wear the square hard hat, but without a tassel.

The Dress of Officers of the University

In addition to the various forms of academical dress associated with degrees certain officers and servants of the University have their particular dress. The Chancellor wears a 'Chancellor's Robe' with a gold rosette on each sleeve and in the centre of the train, thereby differencing the robe from that of the Lord Chancellor. He wears a square cap with a gold tassel, and a 'waterfall' cravat—of late years, bands. His train-bearer wears ordinary undergraduate (i.e. commoner's or scholar's) dress over formal evening dress with knee breeches. The Chancellor only wears these robes on

occasions of state, such as the Encaenia; otherwise he wears the robes of his degree. He is attended by the bedels who turn their staves the right way up, that is the blunt end uppermost, as they also do in the presence of royalty. There are no special points to be noticed in the Chancellor's dress except that he wears the hard 'square', not the round bonnet, and that when he returns salutes he does not doff his cap, as do the Vice-Chancellor and Proctors, but merely touches it.

The Vice-Chancellor has no formal dress, but on certain official occasions, in Convocation and Congregation, and at the Hebdomadal Council, he is attended by one or more bedels, with their staves reversed, that is blunt end down. He has a gold-headed walking-stick, not often carried: it was used, however, by Dr. Wells as Vice-Chancellor on the occasion of the meeting of the British Association in Oxford in 1926. There are a number of these official walking-sticks in Oxford, their use being limited to heads of houses. Whatever his degree, the Vice-Chancellor always wears bands, and by virtue of his traditional clerical position is officially known as 'the Reverend', whether cleric or lay.

The Proctors, like the Vice-Chancellor, wear subfusc clothing with white tie (or clerical collar) and bands. Their gowns are of the same cut as the doctors' full-dress robes, but less full. They are made of Russell cord, with very dark blue, almost black, silk velvet sleeves and facings, with edgings of a broad yellow and a narrow red stripe. These gowns, which have a tippet on the left shoulder, are always worn except when lecturing or in the Proctor's own college, when he wears an M.A. gown with a tippet. Unless he wears a silk lay gown an ex-proctor wears the tippet for ever afterwards on his gown. The Proctors' hoods are of black ribbed silk lined with miniver, and so arranged that only the lining shows. Proctors wear the square cap, and remain covered except in college, in church, or in private houses.

Pro-proctors, when representing the Proctors, wear an M.A. gown with velvet facings, a dress which appears to date from the seventeenth century; they wear the Proctorial hood

on those occasions when hoods are worn; when not representing the Proctors they wear the ordinary M.A. gown, and if necessary, an M.A. hood. The Pro-proctors' gowns have tippets, but they do not wear tippets on their masters' gowns.¹

The gorgeous costumes of noblemen, matters for such serious debate in the eighteenth century, have disappeared, though still prescribed in the Statutes. They were worn within living memory, and one, beautifully made of plum-coloured brocade, and traditionally said to have belonged to King Edward the Seventh, still survives in a tailor's shop in Oxford. Another was worn by Earl Percy, afterwards Duke of Northumberland, at the Encaenia about 1890. The general tendency has been for University dress to be limited more and more to formal occasions.

The Dress of Servants of the University

The gown worn by the servants² of the University is made of Russell cord and is a plain edition of the lace gown; it has no pleating on the streamers which take the place

¹ On occasions of great ceremony additional pro-proctors were appointed (see p. 94). On the occasion of a royal visit in 1687 nineteen such pro-proctors were appointed. 'The use of the proctor's gown (and hood) by ordinary M.A.s on these occasions of academic ceremonials, is a relic of its original use by all Masters on certain occasions of great ceremony, as e.g. at inception. It stood in the same relation to the ordinary M.A. gown as the Doctor of Divinity's "dress" gown, used at the Encaenia, etc., does to the "un-dress" gown of black stuff which he wears on ordinary occasions. . . . A later survival of the use of the proctor's gown by M.A.s was that by the senior of the two fellows of New College who went down to Winchester to conduct the examination for scholarships: this continued till 1873' (Wood, *Life & Times*, ed. Clark, iii. 226-7; see also *Notes & Queries*, 5th ser. xiii. 249-51, 6th ser. i. 359).

The gowns of Collectors (see p. 27) were the same as those of the Proctors. 'Until 1822 (when the office ceased to exist) the two "Collectors", as representatives of the "Determining Bachelors", sat in state in front of the gallery at St. Peter's, with a red velvet cushion before them to mark their place of honour. They were also conducted from their Colleges to church by a Yeoman Bedel borrowed from the Vice-Chancellor's staff; and, as their gown and sleeves were exactly like those of the Proctors, they were of course *capped* by the freshmen, to the amusement of other Undergraduates' (Cox, *Recollections*, 241-2).

² *Ministri* (or *Servientes*) *Universitatis*. The term 'servientes' without qualification generally means 'servitors' or 'poor scholars', corresponding to 'sizars' at Cambridge.

of sleeves, and reaches down below the knees. The only essential difference between it and an undergraduate's gown is the absence of pleating on the sleeves. They wear a soft round cap, like that of the Doctors of Civil Law and Medicine, but of Russell cord instead of velvet. To-day this dress is limited to the bedels, the University verger, and some college vergers, but formerly the clerk of the Schools wore a similar dress. The bedels carry staves which are the symbol of their office, those of the higher faculties being of silver gilt, and the one of Arts of silver. When attending the Chancellor on occasions of state the bedels wear bands. The University verger¹ carries not a staff, but a little wand of silver gilt, surmounted by an angel with outstretched wings. Some of the college vergers also carry silver or silver gilt wands.

The University Marshal, now the chief of the University police, is apparently the successor of the 'Marshall of the Beggars', who is also called the 'Workmaster of the Beggars'. In the University archives is preserved an agreement made with the colleges in 1607 for his maintenance, and from another document respecting payment of the Marshal in 1804 we learn that he was also Keeper of the University Bridewell.² He wore a distinctive coat and a badge.³ To-day the Marshal's duties are to attend and ring a hand-bell at funerals,⁴ to supervise the University police, and to assist the Proctors in their relations with undergraduates. He is also responsible for looking after the life-buoys on the river. The costume to-day which he wears on formal occasions, such as meetings of Convocation and University sermons, is a relic of the seventeenth century. It consists of a long coat of broad-

¹ *Virgifer Universitatis*. He is the successor of the University stationer (*Laudian Code* 185; *Clark, Reg.* II. i. 261).

² Univ. Arch. W. P. β. 5.

³ In 1693/4 a new coat for the 'Bedle of Beggars' cost £1 15s. 9d., and a year later £2 was spent on a badge for him. In 1695/6 and 1696/7 he had two new coats at a cost of £4 4s. (*V.C. Computus*).

⁴ This he has taken over from the University Bellman (*tintinnabularius*), whose duty, under the *Laudian Code*, was to announce funerals and to escort the procession, ringing his bell from the church to the grave: he was also the University crier.

cloth, buttoned in front, with a small cape of black velvet, 18 inches in depth and fastened under the broadcloth collar. This cape comes nearly round to the front and is fastened with a hook. The coat has velvet cuffs, cut square with stuff-covered buttons. On the left arm is a silver badge with the arms of the University within an ornamental border. The present arm badge was made in 1910 and is an exact copy of an earlier one now in the Ashmolean Museum. The Marshal wears a round hat similar to that of the bedels, but with a rosette in front. On formal occasions he carries an ebony silver-mounted staff about 18 inches long, and at funerals a hand-bell. The present staff is dated 1738, and we have not been able to trace an earlier one. In a humorous drawing by Cruikshank in 1824 he is shown armed with his ebony staff supporting the Proctor on his rounds.¹ The Marshal formerly conformed to the custom of the times in head-gear. During the nineteenth century he wore a top hat, until Sir Charles Oman invented his present hat in 1895. When attending the Proctor he wears a 'bowler'.

The Proctors' men are described in the Statutes as *famuli*. Officially they are University police, but to many generations of undergraduates they have been 'bulldogs'. Who invented this name, common to them and their colleagues at Cambridge, nobody seems to know; the earliest record we can find is in a humorous map dated 1819 in the Bodleian.² This costume has undergone various changes, according to the fashion of the times. Hierome Zanchy, Sub-Warden of All Souls and Junior Proctor in 1649, went so far as to arm them with arquebusses, and to walk through the streets thus attended, but, we are credibly informed, nobody ran away. Towards the end of the eighteenth century they were armed with long wooden staves, and from the specimens that have been preserved, it is possible to trace their evolution into the short modern form of the policeman's truncheon. When

¹ G. A. Oxon. a. 72, p. 70.

² G. A. Oxon. a. 75, p. 38. Printed instructions for the University police were issued about 1825. There were then two inspectors and sixteen constables (Univ. Arch. W. P. β. 5).

the city took over normal police duties, the use of these truncheons was discontinued, and to-day no member or servant of the University goes armed in the streets.

The University police formerly wore beaver hats, first broad-brimmed, then three-cornered: later they adopted top-hats.¹ To-day when on duty they, like the Marshal, wear bowler hats. The two Senior Proctors' men are called the 'cloakmen', and formerly the provision of cloaks was a personal charge on the Proctors. These long black cloaks which are worn when the men attend the Proctors to meetings of Convocation, &c., are almost exactly similar to the cloaks shown in Edwards's plate of the Proctor and his attendant. But to-day a round hat similar to that worn by the bedels has been substituted for the beaver of the seventeenth century.

¹ The top-hat is still worn by the Cambridge University police.

UNIVERSITY ASSEMBLIES

THE three constitutional bodies of the University are Convocation, the Ancient House of Congregation, and Congregation.¹ The first, which has always been the chief legislative assembly of the University, was called originally the *Congregatio Plena* and consisted of the regents and non-regents of the various faculties, summoned and presided over by the Chancellor. It was the chief Court of Appeal within the University from the decisions of which appeal could be made only to the King in civil and to the Pope in spiritual causes.² In the earlier period the activities of Convocation were concerned with major questions of administration, the management of chests, the organization of studies, litigation, the granting of letters testimonial, and financial matters. In the Tudor period its powers were to some extent shared with Congregation, but under the Laudian Code³ it was restored to its former status, and had the power to accept or reject motions brought before it; to elect officers, professors and public lecturers;⁴ to nominate delegates; to grant dispensations; to present to benefices; to examine accounts; to control the letting of land; to dispatch letters to royalty, &c.; to grant honorary degrees, and to deprive persons of degrees.

The second assembly, Congregation, consisted of the regents, who were formally admitted to it by the Chancellor (or Vice-Chancellor) on the occasion of their inception.⁵ It was summoned by the proctors but presided over by the Chancellor. At a very early date Congregation obtained

¹ See 'The Congregations of the University of Oxford' (*Bodl. Quart. Record*, iv. 296-314); *Statuta antiqua*, xxi-xxxix.

² *Statuta antiqua*, 278-9; Clark, *Reg.* II. i. 103-7.

³ Ed. Griffiths (1888), 128 sqq.

⁴ The right of electing professors and public lecturers was withdrawn in 1854, but Convocation still has a right to elect the Professor of Poetry (*Stat.*, tit. iv, sect. II. I. § 1).

⁵ In 1559 Tho. Phaer, M.D., and certain masters were admitted to Congregation on condition that they stood a measure of wine to the assembly (*Reg.* I. 182^v).

the right of legislating separately on minor matters and of dealing with the more formal business of the University. This assembly was chiefly concerned with procedure, the granting of graces, the interpretation of statutes, and details affecting studies and administration. As a body conversant with the current requirements of the University and composed of young graduates actually engaged in teaching its actions from time to time tended to encroach upon the prerogatives of Convocation, especially in the sixteenth century.¹

Under the Laudian Code Congregation consisted of the Chancellor (or 'Vice-Chancellor), the Proctors, the necessary regents, and regents 'ad placitum', who comprised the resident doctors, professors and public lecturers, Heads of Houses, the masters of the Schools, and the Deans or Censors of Colleges. Its functions were to deliberate on the resolutions of the Hebdomadal Board; to grant graces, and, in certain cases, dispensations; to admit to degrees; to grant incorporations, and to give letters testimonial. This, as the Commissioners of 1852 expressed it, reduced the assembly to one which existed 'only for the purpose of hearing measures proposed which it cannot discuss, of conferring degrees to which candidates are already entitled, and of granting Dispensations which are never refused'. In 1854 in accordance with the recommendations of the Commissioners Congregation was remodelled so as to include a greater amount of the official and teaching element and all resident members of Convocation. It received the privilege of using English instead of Latin in its debates and the power of accepting, rejecting, and of proposing amendments to statutes submitted to it by the Hebdomadal Board.² There can be little doubt that the Commissioners contemplated a complete reform, or, as they termed it, a remodelling, of the old Congregation of Regents, but that assembly was not definitely abolished and certain of its functions were not transferred to the new Congregation. In 1854

¹ Clark, *Reg.* II. i. 14, 15.

² The power of actually amending statutes came later (*Stat.* tit. x, sect. III, §§ 2, 3).

the following case was submitted to Counsel, 'Your opinion is requested upon the following point: Whether the "Old Congregation" is under the Act superseded by the New Congregation in any other respect besides the discontinuance of the promulgation of Statutes at its meetings.' Richard Bethell, afterwards Lord Westbury, replied, 'The old Congregation cannot usurp any function which by the Act is assigned to the new Congregation, but subject thereto, the Old Congregation is not superseded by the New. Statutes will henceforth not be promulgated in the old Congregation, for that is now one of the functions of the new.'¹ The 'Old Congregation' was then called the Ancient House of Congregation, its functions consisting solely of granting graces, conferring degrees, and confirming the appointment of examiners.²

Changes were again made in the constitution of the University in 1913. Congregation was reconstituted in such a way as to become a genuine organ of the teaching and administrative elements of the University and colleges.³ The number of the members of those elements was therefore increased, and mere residence ceased to be a qualification for admission to Congregation. The present statute was made by the Commissioners and approved by the King in Council, 30 April 1926.⁴

In close relation to the Congregation of Regents was the Congregation of Artists, which had the right of previous deliberation on motions brought before Convocation.⁵ This

¹ R. L. Poole in the *Oxford Magazine*, 1912, 93-4.

² The approval of examiners was transferred to the new Congregation in 1926.

³ *Principles and Methods of University Reform. Report of the Hebdomadal Council* (1910), xi.

⁴ *Statut.*, tit. x. See p. 56 and Appendix.

⁵ Also called the Black Congregation (*Congregatio Artistarum: Congregatio Nigra*) because the Artists wore black habits. A distinguished Oxford historian, Dr. H. E. Salter, has claimed that it had no existence apart from the Congregation of Regents (*Bodl. Quart. Record*, v. 19-22). Sir Charles Mallet in his *Hist. of the Univ. of Oxford*, iii. 503-8, has set out and examined the divergent views on this question. It may perhaps also be mentioned that the arbitrators in the dispute between the University and the Friar Preachers in 1314 gave preliminary discussion to the Congregation

right, which doubtless once carried with it the power of veto, in later times seems to have been confined to deliberation, and did not extend to the rejection of motions brought before it. The University claimed to be founded on Arts (*fons et origo caeteris*) and the Faculty of Arts, being the normal approach to the superior Faculties, was naturally always the largest and most influential of them. Only two records of the proceedings of this assembly survive, and it would appear that its functions were gradually taken over by the Congregation of Regents, which, consisting as it did largely of Masters of Arts, came in course of time to be considered identical with it.

Voting in Convocation was by faculties, but the non-regents of *all* faculties voted as one body. The earliest reference to this method of voting is in the record of the proceedings of the Friars against the University, where it is stated that in 1312 a statute needed the consent of the regents of two faculties with the majority of the non-regents.¹ In 1314, as a result of arbitration, letters patent of the King imposed on the University a decision that the assent of three faculties, of which one must be that of Arts, and of the majority of the non-regents, was necessary for the adoption of any motion.² The procedure at a Convocation is fully set out in a document in the Chancellor's Book, undated but of about the year 1485. First a Black Congregation was called by the Proctors to deliberate upon the propositions to be laid before Convocation. A day or two later the Chancellor summoned a Convocation to elect two non-regents who should nominate four scrutators. On the following day the resolutions were considered and discussed independently by the four faculties and by the non-regents to whom the resolutions were introduced

of Regents before motions came up *in alia congregacione*, namely Convocation (*Statuta antiqua*, 118), and that the Caroline Statute of 1631, establishing regular meetings of the Heads of Houses (*ibid.*, 570), gave to Congregation the power of deliberation but without effective voice. The Caroline Statute was incorporated into the Laudian Code and remained unchanged until 1854.

¹ *Oxf. Hist. Soc. Collectanea*, ii. 226; *Statuta antiqua*, 109.

² *Statuta antiqua*, 117-18, 179. For an occasion on which the Faculty of Arts dissented see *Statuta antiqua*, 259.

by the scrutators. Convocation continued on the following days and on the fifth the resolutions were voted upon by the faculties, and any motion having the assent of a majority of faculties, of which Arts had to be one, and of the non-regents, was announced as carried by the Chancellor, who then either dissolved or adjourned the assembly.¹

At elections, however, in order to avoid intrigues, an indirect method of voting was followed. In the primordial code of statutes the Chancellor was elected by a small body composed of regents nominated from faculties by the Proctors, the doctor who secured the majority of their votes being elected. Later, as an additional safeguard, two *nominatores electorum* (*instantes*) were appointed by Congregation, the proctors acting merely as scrutators or tellers.² A similar procedure took place at the election of proctors. Originally the two senior artists (representing the Northern and Southern 'nations') nominated six Masters of Arts who elected the proctors; later two nominators of electors were elected by the regent Masters of Arts, the two senior artists then acting as scrutators.³ The election of a Chancellor by the indirect method of voting continued until the promulgation of the Edwardian Code in 1549 when it was secured by a direct vote of Convocation,⁴ but the older method of voting by means of *instantes* and electors survived in the election of proctors until 1574.⁵ Votes had to be in writing. The earliest method was for the scrutators to record the vote in the presence of the voters, but from 1400 each voter had to write down his own vote.⁶

The election of officers often gave rise to great disorders, and it was in elections of this character that the question of qualification to vote was first raised. Naturally in early times

¹ *Statuta antiqua*, 291-3. Voting by faculties was confirmed in 1566 (ibid. 397).

² Ibid. lxxii.

³ Ibid. lxxvi.

⁴ Ibid. 350.

⁵ Ibid. 400-3; Clark, *Reg.* II. i. 244-5.

⁶ *Statuta antiqua*, xxxvii. 65, 189. An unsuccessful attempt to record votes *viva voce* took place in 1591 at the election of a Chancellor (Clark, *Reg.* II. i. 240-1).

only residents would vote, but by the beginning of the sixteenth century it was necessary to enact that no regent should have a voice in the election of the Chancellor, Proctors, scribe, chaplain, bedels, or the stationer, after he had departed from the University with his belongings (*cum pannis*) unless on his return he took an oath that he intended, with no reservations, to remain in residence for the greater part of the year following.¹ In 1574 the Chancellor, who had been informed that there had been 'disorderly and indirect dealings for the election of proctors', ordered that 'discontinuers from the University for many years', who had come up 'to serve private turns', should have no vote. Twenty years later, the evil being still unabated, the University took action as follows:

'Since in the election of proctors question arises year by year about "ii qui cum pannis abiissent", and great disputes spring up, it is decreed that by the expression is meant those who have failed to be resident in the University for six months before the election and to retain at their own charges a room or part of a room with books and utensils, and to pay all public and private dues to the University and its officers. If any one come up within the six months he may be allowed to vote, if he take oath that he is going to reside for at least four months after the election. This statute is not to extend to the fellows or chaplains of colleges or to those who have their families in the town.'²

One of the most notable enactments in the Laudian Code concerns the power of the Vice-Chancellor or the Proctors to veto proceedings both in Convocation and Congregation.³ The proctorial veto is mentioned as early as 1344, when it was enacted that one Proctor with the consent of the Chancellor, the other Proctor being recalcitrant, might summon Congregation and act in any Congregation so summoned, an enactment which presupposes the right of both Proctors to suspend Congregation and all proceedings therein.⁴ Very few references are found, however, to the proctorial veto. In 1492 the Proctors refused to take steps to elect a bedel, but were over-

¹ *Statuta antiqua*, 329, 331.

³ Ed. Griffiths, 129.

² Clark, *Reg.* II. i. 244-6 (transl.).

⁴ *Statuta antiqua*, 146.

ruled.¹ Again in 1572 when a request was made that the two Clerks of the Market should be allowed to continue in office a year longer, the senior Proctor, on its being carried in Convocation, entered his protest, asserting that he had in such cases a *vox negativa*.²

The need of a smaller executive body which must often have been felt by the University was met in the sixteenth century by the appointment of committees. In May 1570 the Chancellor addressed a letter to the University touching a report that 'the order of your Convocation now used is confuse and imperfect', and added, 'for whoe will not thinke it resonable that before the convocation the vicechauncelor, Doctors, heades and proctors should consult of such thinges as are fittest to be moved therein?'³ The recommendation of the Chancellor seems not to have been followed, preliminary deliberation being met, as in the past, by the appointment of committees. It was not until 1631, when a Weekly Board (*Hebdomadalis Conventus*) was appointed by royal ordinance, that effect was given to the recommendation, but by that time the claim of the doctors to be represented on the Board had been forgotten or reconsidered, and only the Heads of Houses were represented on it. The function of the Board was to deliberate on matters concerning the University and, if necessary, to draw up measures to be laid before Congregation.⁴

Under the Laudian Code the Board remained as it was

¹ *Reg. Ann. Coll. Merton*, ed. H. E. Salter, 155.

² Clark, *Reg.* II. i. 247-8. In 1845 the proctors exercised their joint veto in connexion with the proposed condemnation of Tract 90.

'It seems no matter what a man believes,
If he find shelter 'neath the Proctors' sleeves;
When Proctors twain pronounce their potent Veto,
In vain eight hundred Masters cry "Scrutinium peto".'

(Cox, *Recollections*, 345.)

See also three papers (1759-60) in [Bodl.] Gough Oxon. 96 (43-5). On 1 Dec. 1844, Dr. Bliss, the Registrar, vetoed a motion in Convocation with the formula: 'Non placet, quia quod mihi videtur illustrissimi Cancellarii privilegiis adversari, id nolo, nemine reclamante, pro exemplo haberi.'

³ *Reg.* KK 93^v; *Statuta antiqua*, xxxiii-iv.

⁴ *Statuta antiqua*, 570; *Laudian Code*, 142.

constituted in 1631, its function being to discuss measures and to lay them before Congregation. From that time onwards it became increasingly powerful, and suffered no change until the University Commission of 1852, when by the Oxford University Act of 1854 it was renamed the Hebdomadal Council and was reconstituted so as to include the Chancellor, the Vice-Chancellor, the Proctors, six Heads of Houses, six Professors, and six members of Convocation, each of these classes to be elected by Congregation. The present statute enacts that Council should consist of five *ex officio* and eighteen elected members, not more than three of the latter belonging to the same College or Hall, six being elected biennially.

Convocation—Modern Procedure

In normal circumstances Convocation¹ is held at two o'clock every Tuesday, except the first, in Full Term and usually at the beginning of the Vacation, at which meeting by custom only non-controversial business is put forward. It also assembles for elections and special purposes at such times as the Vice-Chancellor may determine. The meeting held at noon on Wednesday in the ninth week of the Trinity Term is known as the Encaenia, and is a very special University gathering which will be described separately.

Convocation meets for ordinary business in the Convocation House, but when larger seating accommodation is required it is held in the Sheldonian. The absence of lighting in the Convocation House exerts a salutary effect on the rapidity of the business of the House and of Congregation which follows it, though there have been occasions even in recent years when a particularly dark winter's afternoon has intervened in debate.

The functions of Convocation² are to make such elections,

¹ *Stat.*, tit. x, sect. II.

² *Stat.*, tit. x, sect. II, § 3. The tendency of recent legislation has been to define more closely the limits of the powers of Convocation, and to take away from this House much of the domestic business of the University, transferring it to Congregation. It will probably happen therefore in the

including that of the Chancellor, as are within its statutory powers, to confer degrees by diploma and honorary degrees (*honoris causa*) in contradistinction to the Ancient House which confers ordinary degrees,¹ and to Congregation which considers degrees by decree. It approves formal letters sent by the University, entrusting to the Proctors as its representatives the duty of witnessing the affixing by the Registrar of the seal of the University.² Finally Convocation is responsible for accepting or rejecting such statutes or decrees as may have been passed in Congregation by a vote of less than two-thirds of those present and voting. This right is a recent innovation. Actually, except in a few matters apart from elections, and with the above exception, Congregation has the final word in University business.³

Convocation is summoned by tolling the small bell of St. Mary's, as it has so been summoned for hundreds of years. The members are, at least officially, asked by the Bedel to enter, *Magistri, intretis in Convocationem, per fidem intretis*, but this is rarely done in practice.⁴ The Masters, wearing gowns, but, except on special occasions, no hoods, enter and take their seats on the benches on either side of the House. A custom of recent years has grown up whereby some women members occupy the benches near the entrance. The Doctors, who wear black gowns, habits, hoods, and bands, sit in stalls on either side of the Vice-Chancellor's

future that Convocation will be briefer, the business being transacted in the other House.

¹ See p. 75.

² This seal, together with the Chancellor's seal, is kept by the Proctors, each Proctor possessing a key both of the safe and of the case containing the seal, and it is probable that formerly the seals were guarded by two locks so that the presence of both Proctors was necessary before they could be opened. Sealing is usually done either by the Registrar or his assistant; the presence of two Proctors, or one Proctor and one Pro-proctor, is necessary. Ordinary sealing is done by impressing the paper, but the Chancellor's seal having no counter-seal, a wax impression has to be made.

³ For recent changes see Appendix.

⁴ The reason for this curious survival is probably the very last relic of the time when, as explained above, the Faculties met separately, and had to be summoned from various parts of St. Mary's to the Great Congregation of the University.

seat, the Theologians on his right and the other Doctors on his left.¹

The Vice-Chancellor, Proctors, and Registrar, wearing gowns, hoods, and in the case of the Vice-Chancellor and Registrar, if Doctors, habits, go in procession from the Clarendon Building, preceded by the four bedels. On entering, they salute the House by raising their caps, except the Registrar, who removes his. The Vice-Chancellor proceeds to his seat, the Senior Proctor crosses over so that he may take his place on the Vice-Chancellor's right, since he sits facing the House, the Junior Proctor crosses to the left, and the Registrar goes to his desk among the masters on the Vice-Chancellor's left.

The Vice-Chancellor stands and raises his cap. Whenever the Vice-Chancellor rises the Proctors rise also, and when he raises his cap *to the House*, they do likewise, but not when he acknowledges the salute of an individual who is about to address the House. He then opens Convocation, saying: 'The reason for this Convocation is that, if it shall please you, . . . (mentioning the business of the House, which is usually first appointments, and then decrees or statutes) . . . and that other matters may be done, which concern this venerable House.' *Causa huius Convocationis est ut, si vobis placuerit, . . . necnon ut alia peragantur quæ ad Venerabilem hanc Domum spectant.*

The first business is normally the approval of persons who have been nominated for various duties by the appropriate body. These lists are read out in Latin by the Vice-Chancellor. Frequently reports are presented to the House, the Vice-Chancellor saying 'You have in your hands the annual report of such and such a body'. *Habetis in manibus annuam relationem eorum quibus etc. etc.*

If there are any decrees or statutes the Vice-Chancellor tells the Registrar to read them, which he does in the language—English usually, Latin rarely—in which they are couched.

¹ A discussion of the interesting statute on the order of sitting in Convocation will be found on p. 12.

This all requires much Latinity on the part of the Vice-Chancellor, and is on occasions an opportunity for witty scholarship. Many still remember a recent Vice-Chancellor's happy rendering of a certain railway preference stock and a not less felicitous version of 'yours of the 16th inst. to hand'.

It should be noted that during the whole procedure all members, unless speaking, remain seated. Whenever the Vice-Chancellor rises, he caps the House: the Proctors rise at the same time, and cap the House also. The bedels stand, always uncovered, when the Vice-Chancellor opens the House, calls on the Registrar to read, and when the Registrar is reading; during debate they remain seated. When the Vice-Chancellor speaks as a private member of the House, which he is always at liberty to do, he removes his cap and moves a little from his place. The Proctors rise, raise their caps, and then seat themselves. If a Proctor wishes to address the House as a private member, which not infrequently happens since much formal business is brought forward by the Proctors, he rises, removes his cap, bows to the Vice-Chancellor, and turns and faces the House, standing a little way from his seat. A member of the House addresses the Vice-Chancellor, except in presenting a candidate for an honorary degree when he includes the Proctors.¹ Latin is the official language of Convocation,² but except for the briefest and most formal statements permission to speak in English is always requested and granted. The speaker says: 'Most distinguished Vice-Chancellor, is it lawful to speak in English?' *Insignissime Domine Vice-Cancellarie, licetne Anglice loqui?* The Vice-Chancellor himself asks pardon for speaking in English.

After each piece of business has been read out, the Vice-Chancellor says, 'Does it please the Venerable Convocation to agree to this, does it please you, Doctors; does it please you, Masters?' *Placetne Venerabili huic Convocationi huic . . . assentiri; placetne vobis, Domini Doctores; placetne vobis,*

¹ In the Ancient House the Vice-Chancellor and Proctors are addressed.

² *Stat.*, tit. xi, § 3—an ancient statute. *Statuta antiqua*, 246, 433.

Magistri? He and the Proctors raise their caps each time *placetne* is pronounced.

The House then says *Placet* or *Non placet*.

If no objection is raised—and much of the business is non-controversial—the next matter is brought up. If there is a dissentient vote, by word of mouth, the Vice-Chancellor states which side in his opinion has the vote; this may be challenged, and in practice usually is so challenged, by six members rising in their places. The Vice-Chancellor then says: 'Let there be a count.' *Fiat scrutinium*. The Proctors then take baize-covered pads on which they place a ruled piece of paper, and remove the pricker from the knob of the newel post beside their seats. The Senior Proctor takes the Vice-Chancellor's vote and his colleague's, and the Junior the Senior's vote. They then go down the House, beginning with the Doctors. Each member whispers into the Proctor's ear *placet* or *non placet*, which is pricked down. When all the votes have been taken, the Proctors confer and add up the votes. The Senior Proctor informs the Vice-Chancellor and announces the result, partly in English, partly in Latin, thus *Maiori parti placet* (or *non placet*). *The numbers are. . .* If the gathering is large and this method of collecting the votes impracticable, the House divides and the votes are counted at doorways, or by going into a different part of the House.

It is the prerogative of the Vice-Chancellor, or of both Proctors or their deputies acting together, to veto a motion, but they must do so before the question is put. The method of veto is simple, and is done by rising, without removing the cap, and saying, 'This does not please me, the Vice-Chancellor', or 'us, the Proctors', as the case may be. *Mihi, Vice-Cancellario* (or *Nobis, Procuratoribus*), *hoc . . . non placet*.

When all the business is finished, the Vice-Chancellor rises and dissolves Convocation, and on ordinary days summons Congregation. *Dissolvimus hanc Convocationem, fiat Congregatio*. It may happen that no Congregation follows, in which case he leaves the House in procession as he entered, or the Convocation may be followed by a meeting of the Ancient

House. To-day in such circumstances he does not as formerly leave the House and return, but steps down with the Proctors from his dais, and takes his seat on the floor of the House. Those present rise and remain standing until the Vice-Chancellor is seated.

Apart from the ordinary business of the House certain business needs special description, including readmission to Convocation after a member has taken his name off the books, a ceremony which is frequently carried out at an ordinary meeting of the House, or, on occasions, at a special meeting before a meeting of the Ancient House.

After the Vice-Chancellor has satisfied himself that a candidate for readmission has had his name reinscribed on the books of his Society, and that the necessary fees have been paid, he is admitted either in person, or in absence. The candidate stands, wearing his gown, on the floor of the House (he should not stand on the lower step, as sometimes happens) opposite the Vice-Chancellor, who says: 'Master (or Doctor), you will be allowed after a hundred and eighty days from to-day to exercise the right of voting in the House of Convocation.'¹ *Domine Doctor (vel Magister), licebit tibi post centum et octoginta dies ex hoc die numerandos jus suffragandi in domo Convocationis exercere.*

This ceremony is a very short one. The same formula, substituting the third person for the second, is used in absence.

Congregation—Modern Procedure

Since Congregation was reconstituted by the Commission of 1852 it has changed considerably, especially since the Great War, and changes are yet in progress. The House has now considerably more power than it originally possessed and has in practice the final word in most University matters. Any motion of the House carried by a two-thirds majority is final; a statute or decree which has obtained a lesser vote must be submitted to Convocation. A necessary corollary of this is that the Vice-Chancellor and Proctors or their deputies have now by Statute a veto in Congregation. Previous to the

¹ For the history of this 180 days see p. 54 above.

post-War statutes they claimed by custom, though not by statute, the right to exercise such a veto, and it is not improbable that the omission was an error in drafting.¹

Congregation² includes in its membership the teaching, research, and executive staff of the Colleges and Halls, provided that they are already members of Convocation, University officers, and a limited number of other University officials. Unlike Convocation, which includes all who have taken their Master's degree and have remained on the books, membership of Congregation is limited to those who, with one or two exceptions, are actively engaged in academical work in Oxford. There is no longer, as there was until the post-War statutes, a residential qualification.

Congregation considers proposals submitted to it by the Hebdomadal Council, including addition to or alterations of existing legislation whether by statute or decree. It also considers the decrees conferring degrees which Council may submit, but does not itself confer degrees. It approves the appointment to teaching posts in the University which are made by the General Board of the Faculties or a Board of Faculty, and also of examiners who are nominated by special nominating committees. Certain elections are also made by Congregation, and it moreover receives such statements of University finance as may be necessary to enable the University to carry out its functions, but the ultimate control of the audit is still in the hands of Convocation. In short, with this one exception, and that of certain elections, Congregation transacts the ordinary business of the University, the specialist

¹ A statute promulgated in October 1934 proposed the following changes, amongst others, first that the Chairman, whether Chancellor, Vice-Chancellor or Pro-Vice-Chancellor and/or both Proctors (but not their deputies), shall have a veto, secondly that a statute or decree rejected by less than a two-thirds majority should be taken to Convocation for final decision, and thirdly that resolutions which are criticisms and do not involve any legislation should be allowed. See Appendix.

² For the composition, duties, and functions of Congregation see *Stat.*, tit. x, sect. 1, a statute made in 1923 by the post-War Commissioners, containing some of the most important of recent changes in the constitution of the University.

committees and other bodies reporting to it, and putting their findings before it. Statutes and decrees are proposed either by a member of Council, or in the case of a General Board motion approved by Council, either by a member of Council or by a member of the Board. Any member of the House, however, provided he find a seconder, may move an amendment to a statute. Statutes accepted by Congregation by a vote of less than two-thirds of its members present and voting are submitted to Convocation. Should that House reject it, Council has the right to reintroduce the statute, in identical or substantially the same form, not earlier than the third term or later than the sixth term after its rejection by Convocation; and if carried, it becomes binding on the University.

Procedure and dress do not differ from those of Convocation, but proceedings are in English, not Latin. There is no quorum, and there has been a meeting in vacation, for formal business, when only one person, besides the official members, was present. But the House may be adjourned, on the motion of any two members, if less than twenty members are present. The presence of the Vice-Chancellor and Proctors, or their representatives, and of the Registrar, is necessary. Certain customs are observed. In addition to the statutory proposers of motions mentioned above, the Proctors propose formal business. The special duty of the Junior Proctor is to bring forward dispensations for undergraduates, usually in the matter of non-performance of statutory requirements in entering for examinations, which have previously been considered by a standing Committee of Council. A member in speaking does not address the House, but 'Mr. Vice-Chancellor'. The Vice-Chancellor and Proctors remove their caps when speaking, and raise them when the motion is put, as in Convocation. The House is dissolved, or, with the consent of the House adjourned, by the Vice-Chancellor. But it may be adjourned by that officer, without the question being put, after four p.m., as the Convocation House has no artificial light. Curiously enough, the Vice-Chancellor both opens, puts the question, and dissolves the House in the Latin tongue.

University legislation

The passage of University legislation through the House is governed by *Statt.*, tit. x. Briefly the procedure is as follows. Statutes can only be brought forward by Council on its own motion or under compulsion by a joint Committee of Council and either the General Board or the University Chest. They must consist of two parts, a preamble containing the principle, and an enacting part of one or more clauses carrying out the principle. Notice of promulgation must be published in the *Oxford University Gazette* not later than the fifth day before the promulgation is to take place. If the preamble is approved, amendments may be proposed under certain definite safeguards, including a time limit and a report from the Vice-Chancellor to Council that they are relevant. If there are no amendments the measure is submitted to Congregation as a whole (the first time it was merely promulgated, i.e. the preamble and principle were brought forward), due notice being given in the *Gazette* four days beforehand.¹ If amendments are offered each clause amended must be submitted separately, and then the statute as a whole. Alternately before a statute is framed resolutions may be submitted to Congregation, and, if approved, may form the preamble of a statute drafted by a Committee of eleven and submitted by Council without alteration to Congregation.

Decrees differ from statutes in that they do not necessarily contain preambles; in which case, if accepted, they come into effect immediately, but if rejected by Congregation, they may not be introduced before the second term after that in which they were rejected. If a decree contains a preamble which has been approved, five and not four days' notice is required before the second reading. In no case may a decree be amended.

Elections in Convocation and Congregation

Elections are governed by *Statt.*, tit. x, sect. II, § 4, voting papers being sent by post. Previous to 1932 the procedure

¹ The recent statute which makes considerable changes in the method of University legislation will be found in the Appendix.

was as follows. The Vice-Chancellor and Proctors took their seats on the floor of the House, the Registrar being in attendance. The Vice-Chancellor, if a Doctor, wore his Convocation habit, the Proctors and Registrar gowns and hoods; other members voting wore gowns, but neither habits nor hoods. Voting papers were filled in and signed by the voters in ink in the Apodyterium. The votes were handed to the Vice-Chancellor and passed to the Proctors, who verified the right of such persons to vote as were not known to them personally. The papers were then given to the Registrar. During a session, for voting usually took place at several sessions, the Proctors, or their deputies, were forbidden by Statute to leave the room. When they were compelled to do so, the Vice-Chancellor acted for the absentee. After the count had been made according to Statute, the Senior Proctor or the Vice-Chancellor announced the result. The formulae given in the Proctors' books are:

1. Where there is one candidate—*Omnia suffragia habuit A.B. e Coll. C. quem pronunciamus electum.* But to-day this should not occur, as only contested elections are held.
2. Where there are several candidates, two formulae are given—*Computatis suffragiis comperimus maiorem partem suffragantium consensisse in A.B. etc.* and *In hanc sententiam A.B. obtinuit . . . suffragia, nos scrutatores igitur etc.*

Business matters, readmission to right of voting, honorary degrees, and elections may be considered the routine of Convocation, but in addition certain officers are installed in Convocation—the Vice-Chancellor and Proctors at special meetings held annually, the Chancellor and High Steward at special meetings, or by delegation, and various other officers when the need occurs, frequently at an ordinary meeting of the House, though some of this ceremonial has been somewhat neglected of late years.

Parliamentary representation of the Universities of Oxford and Cambridge was secured by charter in 1604 on the recommendation of Sir Edward Coke, the Attorney-General.

Until the recent Representation of the Peoples Act the electors were members of Convocation, who up to 1885 had no vote in the City. To-day all graduate members¹ of the University duly qualified are entitled to be placed on the register of Parliamentary electors. Parliamentary voting has, however, always been considered to be in no sense a matter of University ceremonial and need not therefore be described here.

¹ Bachelors, Masters, and Doctors of any Faculty. See *Statt.*, tit. xix, § 6. 1.

THE DEGREE CEREMONY

AFTER the student had performed the various exercises prescribed by the statutes and had kept a sufficient number of terms, or had been dispensed from certain of them, he could proceed by various stages to his degree. He had first to ask leave both from his college¹ and from the University. The asking was known as the *supplicat*, the permission as the grace (*gratia*), although the latter term is generally found doing service for both. The *supplicat* was read by a regent master of the candidate's college² in four successive Congregations, the candidate remaining bare-headed without the House. After the *supplicat* had been recited the Proctors walked down the House and collected the opinions of the Masters, who whispered either 'placet' or 'non placet'.³ If there was no opposition the Proctor pronounced the grace granted, either 'simpliciter' or on conditions; if opposition was offered on the grounds of insufficient study or residence, intellectual or moral unfitness, the grace was refused.

From the time of the Laudian Code graces followed a common form, but in the earlier period they are individual records of what candidates thought sufficient qualifications

¹ From 1580 the name of the college always appears in the grace (*Statuta antiqua*, 419).

² In earlier times probably any regent master might read it.

³ Dr. Green, Vice-Principal of Magdalen Hall (fl. 1800), was known as 'Pluck Green' because he dared to utter the formula *Non stabit pro forma* in the Schools, and presumably plucked the Proctor's gown at the same time, which was then the correct method of refusing a grace (Cox, *Recollections*, 28). The Proctors' walk is one of the most interesting and picturesque parts of the degree ceremony. The statutes say that the Proctors collect votes. In spite of persistent assertions, no one but a regent Master can pluck the Proctor's sleeve, certainly not a tradesman. To-day the Proctors walk at the degree ceremony, but formerly they also walked, according to their Manuals, on the reappointment of the bedels at the beginning of Michaelmas Term, and at the nomination of the Delegates of Appeals. Possibly they walked at other nominations. In the instructions for these ceremonies, the Proctors have sometimes written 'collect suffrages' and sometimes 'walk'.

for a degree.¹ This was due to a general uncertainty about the necessary requirements, but as the statutes were gradually brought into greater order dispensations began to multiply and graces to become conventional, the prospective B.A. merely promising to determine next Lent, and the M.A. to incept within a year.

Originally in the *supplicat* no distinction was attempted between dispensation and grace, both were called graces. For instance, when William Tucker on 10 October 1523 supplicated that he might be dispensed with scholastic exercises for one month, leave was given (*haec gratia est concessa*) on condition that he found some one to do his job and to pray for the good estate of the regents.² From about 1579 dispensations are so marked in the margin of the register, and from 1595 dispensations and graces are entered separately.³

¹ A number of fifteenth-century graces will be found in *Munimenta Academica* and in *Statuta antiqua*, lxxxvii. sqq., and a wealth of later records in Clark's *Reg.* II. i.

² Univ. Reg. H 114^r.

³ The following are examples of each:

3 July 1623. *Supplicat* &c. Gulielmus Nicolls scholaris facultatis (*Dispensatio*) artium ex aede Christi vt gratiose cum eo dispensetur quod generalis creatus non erat per quatuor terminos ante gratiae eius petitionem. Causa est quod seriis impeditus negotiis termino per statuta praefixo haec exercitia praestare non potuit. Conceditur simpliciter. (Reg. O 12^v.)

7 July 1623. *Supplicat* &c. Gulielmus Nicolls scholaris facultatis (*Gratia*) artium ex aede Christi quatenus sedecem terminos in studio dialectices posuerit, semel generalis creatus fuerit, bis sub Baccalaureo in quadagesima responderit, publicos praelectores diligenter audiverit, et reliqua praestiterit omnia quae per nova statuta et novissima decreta requiruntur, vt haec ei sufficiant quo admittatur ad lectionem alicuius libri logices. Conceditur modo determinaverit proxima quadagesima. (Reg. O 157^r.)

It should be mentioned that present-day dispensations are not survivals, but are due generally to the carelessness of the candidate in omitting to perform some necessary routine matter, such as entering his name at the proper time. If the dispensation is granted, an additional fee is payable to the University Chest through the Registrar. It is, however, not the invariable practice to charge an additional fee if dispensation is granted. It is generally done, partly to cover the extra cost of printing, &c., involved in granting any dispensation, partly as a deterrent; but quite frequently dispensations are granted without payment of a fee, e.g. the 1934 decree

There was, however, one notable exception as regards graces. Members of New College were obliged by their statutes to take degrees 'absque remissione temporis aut completionis formae' with a few unimportant exceptions. When the asking of graces became part of the regular procedure in taking a degree, New College considered itself relieved of this obligation, and later extended this view to examinations for degrees when they were introduced in 1802. As a kind of solatium they paid a small fee *pro munificentia domus* on presentation. The privilege was resigned by the college in 1834, but fellows of New College are entitled to demand (*postulare*) and not to supplicate for a degree.

Having received permission to proceed to a degree the candidate with his presenter had then before sunset to visit the Vice-Chancellor and Proctors, who were asked to summon a Congregation at which the candidate might be admitted to his degree: this ceremony was called the *circuitus*.¹

The reason why the *circuitus* terminated before sunset is obvious; the process was gone through that the candidates might be known . . . Charles I sent down [in 1642] a long list of persons who were ordered to be admitted to degrees and a great number of students were going round till darkness set in. A number of other students were too charitable to suppose that their exclusion from the royal favour was due to any other cause than an oversight, and they therefore, assisted by the darkness, put on their academicals and went round with the rest. The University had to decree next morning that not all who had gone the *circuitus* should be

allowing members of the crew of the Oxford boat to count six days in vacation as residence. Generally speaking, a fine is always imposed if there has been any carelessness on the part of the applicant. In the fifteenth century payment for dispensations was common. Thomas Phaer, who supplicated in 1559 for the degree of M.D., was granted a dispensation on condition that he gave wine and gloves to the nine masters present (Reg. I. 181r).

¹ The *circuitus* of candidates for the B.A. degree in Elizabethan times and later appears only to have necessitated a visit to University officers, but as the name implies it must originally have involved a circuit of the Schools. There is, however, no evidence available about the *circuitus* of non-graduates in early times. Bachelors who were candidates for inception certainly had to make the circuit of the Schools in addition to the visit: this in the later graces is frequently called *circuitus et visitatio*.

admitted to the degree, but only those who had been named in the king's letter.'¹

The candidate had so far received leave of his college, supplicated for his degree, received leave of the University, and had introduced himself to the principal officers of the University. But the University still required a personal testimony as to a candidate's fitness. This was attained by nine bachelors testifying (deponing) for him. Their testimony was whispered to the Proctor and had to be conveyed in set terms, 'scio', 'nescio', or 'credo'.²

The last step was the admission to the degree of Bachelor of Arts. The candidate was brought to the Congregation House by his regent master, who, holding his right hand, presented him to the Vice-Chancellor and Proctors. The Vice-Chancellor thereupon admitted the candidate to lecture on any book of the logic of Aristotle. After admission he completed the requisites for his degree by 'determining', which has been described under the heading of studies.

What has been described above was the normal procedure, but a candidate for a degree who had landed property or benefices to a certain value was required to pay higher fees for which he enjoyed certain privileges of a spectacular kind. If on inquiry it was found that he had a personal income of £40 outside the University the candidate was termed a grand compounder; if only 5s., a petty compounder. The most important privilege of a compounder was that on the day of his presentation he wore a red gown, and was escorted by the Head and members of his college together with the Vice-Chancellor, Proctors, and bedels to the Congregation House.³

¹ Clark, *Reg.* II. i. 45; Wood, *Fasti* (ed. Bliss), II. 13 sqq.; Conv. Reg. Sb 25, pp. 12, 13. From 1 Nov. 1642 to 21 Feb. 1643 more than 140 M.A.s were created.

² From the year 1576 candidates subscribed to the XXXIX Articles and from 1580 took the Oath of Supremacy (*Statuta antiqua*, 409, 416). Religious tests were abolished for all degrees, except in Divinity, by 34 Vict. (1871), c. 26; oaths were abolished by 17 & 18 Vict. (1854), c. 81, § xlv. Religious tests were finally abolished in 1919.

³ 'Circuiring with a Gr: Comp: The Manner—The Librarian, Professor, Candidate meet at the Apodyterium when attended by the Virger and

The ceremonies for the degree of Master were similar to those for Bachelor. There were the *supplicat*; the *circuitus*, at which, in addition to visiting the Vice-Chancellor and Proctors, the bachelor had to make a round of the Schools and inform the masters that he was prepared to submit to their examination; the deposition, at which nine masters testified; and the creation or licence as it was generally called. On being presented the candidate took certain oaths and was licensed by the Vice-Chancellor to incept in the faculty of Arts, to lecture, dispute, and to do all pertaining to the status of master. He then became an inceptor in Arts and completed his degree by taking part in certain disputations.¹

The most picturesque and symbolical part of the degree ceremony, the bestowal of the insignia, disappeared at the beginning of the eighteenth century.² The insignia were the Chair, the Open and Closed Book, the Cap, the Ring, and the Kiss.³ In the Middle Ages this portion of the ceremony was common to all European universities and is of very great antiquity. The Chair represented the seat of one in authority; the Closed Book held the Divine secrets, not to be entrusted to ignoble hands; the Open Book was the authority for all judgements; the Cap was the crown, the mark of liberty and of victory—'And if a man also strive for masteries, yet he is not crowned, except he strive lawfully'; the Ring was the badge of dignity and nobility, and of the mystical marriage

Bedels, they wait on the Jun^r Proctor, from thence they go to the Sen^r then to the Vice Chan: who goes with the Procession to the Compounders. 2. Order of the Procession in Circuiting, The Virger, the Bedels, the Librarian next, then the Presentator, then the Candidate: when the Proctors have joyn'd they go between the Librarian & Presentator, when we come [to] the Vice Chan: he interposes between the Librarian & Proctors.

Publick Presentation of a Compounder. When St. Mary's Bell rings for Congregation the Virger and Bedels attend M^r Vice Chanc: to the Compounders Chambers. The Order of Persons is here the same as in Circuiting excepting . . . that the Candidate goes before the Dean or Professor' (*Bedel's Book*, 2).

¹ Clark, *Reg.* II. i. 80 sqq.

² The ring was bestowed as late as 1858 at Cambridge (Stokes, *Ceremonies*, 38, 39).

³ Grammar masters received a rod and a birch and the Rhetorician a laurel wreath. *Statuta antiqua*, lxxxv-lxxxviii.

of the Master to his Faculty; while the Kiss was the token of peace and charity, symbolical of the care of the loving Mother for all her children.¹

There are no references to the insignia in the ancient Statutes, but occasionally they are mentioned in the Registers.² In 1566 the Chair, the Book, the Ring, and the Kiss were used for conferring a degree of D.C.L., and a few years later the Book, Ring, and the Cap for a degree of D.D. and of D.M.³ The latest instance of their bestowal seems to be at the Encaenia of 1733. The only detailed account of the ceremony at this period is on the occasion of the conferment of the degree of Doctor of Divinity on Johann Grabe of the University of Frankfurt in 1706. At his creation he was presented with the Book (in this case the Septuagint), a testimony to his scholarship in that field; the Cap, a tribute to his intellectual independence; the Ring, an indication of the bond between the two Universities of Oxford and Frankfurt; and the Kiss, the witness to the fellowship between the Anglican and Prussian Churches.⁴

Immediately after inception the Master's name was entered in the register of Congregation, and he became a necessary regent for two years unless dispensed. After the period of necessary regency those masters who remained in Oxford either entered the Faculty of Theology or applied themselves to the study of Law or Medicine, but as the two latter were not actively pursued at Oxford, Theology claimed most of the regents. The degree ceremony for the doctorate was not very

¹ There was naturally a good deal of latitude allowed in the interpretations.

² They are mentioned in the *Laudian Code*, 72-3. The Book, the Cap, and the Kiss were bestowed on masters; the Book, the Cap, the Ring, and the Kiss on doctors.

³ Clark, *Reg.* II. i. 84, 122, 151, 235. See also p. 85.

⁴ For general references to the insignia see Michael de Hungaria, *Sermones universales* (Louvain, c. 1480), sig. O 4; Lucas de Penna, *Super libros X, XI, XII Codicis lectura* (1509), cclxxxii. 4; *Statuta antiqua*, lxxxv-viii; Peacock, *Observations on the statutes of the Univ. of Cambridge*, xl. sqq.; Ederus, *Orationes sex* (1559); Grabe, *Spicilegium SS. Patrum*, ed. alt. i. [8-10], 1714 (the speeches are also given in Hearne, *Collections*, i. 215, 235).

different from that in Arts and proceeded through similar stages. Until recently, certain traces remained of this old system in that Bachelors of Divinity had to be Masters of Arts of three years' standing, and the divinity gowns (i.e. the lay gowns) did not differ from those of the M.A.s.¹ Moreover, in the new Doctorates of Science, Letters, and Philosophy, as the candidates are not incepting in a new faculty (if they incept at all, and they usually do, they incept in Arts) the ceremony connected with their degree is much shorter and less impressive than that associated with the other doctorates, where there is inceptation into a new faculty.

Even in the seventeenth century many of the degree ceremonies were becoming mere formalities or were always dispensed with, but several managed to survive until the nineteenth century. In the Junior Proctor's book is a paper inserted in 1839 setting out the form for conferring degrees.

'Formulæ of conferring Degrees.

B.A. and M.A.

- '1. Subscription to the XXXIX Articles.²
- '2. Grace of the College or Hall.
- '3. Testamur of Examination.
- '4. Certificate of income to be delivered to the Vice-Chancellor.

¹ M.A.s may now proceed to a degree in Divinity without being in orders.

² The following footnote is added in a later hand: 'According to ancient custom the Subscription took place in the Apodyterium; of late years it has been the practice for the Candidates to subscribe in the Convocation House, immediately before the business of Congregation begins.' The subscription registers, which generally have at the beginning the printed texts of the oaths of Supremacy and Allegiance, the three Articles in the 36th Canon, and the XXXIX Articles, begin with the year 1660. Bachelors still sign a register lettered 'Subscriptions'—the previous register 1896-1904 was lettered 'Subscriptiones admittendorum ad publicam Bibliothecam', notwithstanding that the great majority of those who signed had already been admitted to the Library when undergraduates. Masters of Arts also sign their names in a register. Another register (1868-), which is still in use for recipients of some of the higher degrees, actually contains the texts of the oaths of Supremacy and Allegiance. It is now the accepted view that these registers are signed as evidence of presence, but they are certainly survivals of the subscription period and are interesting as showing how difficult it is to arrest the momentum of University procedure.

- '5. Dispensation (read by the Junior Dean)
 1. Pro absentia Terminorum.
 2. Pro minus diligenti publ. Lectorum auditione.
- '6. Supplicatio for Degree (those for M.A. first).
- '7. Dispensations (read as before by the Junior Dean)
 1. Pro solenni Processu (in the case of Grand Compounders).
 2. Pro omissione Circuitus.
- '8. The three Articles in the 36th Canon read by the Candidate before the Senior Proctor.
- '9. Presentation of Candidates by the Deans of their several Colleges (according to the seniority of the Degree and of the Deans).
- '10. Subscription testified to the House by the Proctors.
- '11. Oaths to the Junior Proctor:
 1. To observe the Statutes and keep the peace of the University.
 2. Bodleian Library.
 3. Academical Dress.
- '12. Oaths to the Senior Proctor:
 1. Supremacy.
 2. Allegiance.
- '13. Admission to Degree by the Vice-Chancellor.'

The stages that remain to-day are (2), although it no longer forms a public part of the ceremony being incorporated in the Registrar's statement which also includes the Testamur (3) and (6) the Supplicat, (11) the oath to the Junior Proctor (for higher degrees), and (13) the Admission. Formerly the Registrar read out the list of candidates, but to-day he merely testifies that they have gone through the necessary preliminaries. On the other hand, the lists which are read out later by the Proctors are prepared in the Registry and have to pass a severe scrutiny. It is this previous scrutiny which to-day renders the negating of a degree in the House itself almost an impossibility.

The *circuitus* of the grand compounder was discontinued in 1817, but in 1853 a bold undergraduate of Balliol, having the necessary qualifications and holding that he who pays the piper calls the tune, demanded a procession. It was not

granted, but the undergraduate and his friends attached themselves to the Vice-Chancellor and his attendants as they proceeded from Worcester College to the Congregation House.¹ A trace of the ordinary *circuitus* survived until a few years ago and consisted of entering the name of a candidate for a degree in a register the evening before the degree day.

THE ANCIENT HOUSE OF CONGREGATION

Modern Procedure

Before the opening of the House the candidates for degrees, dressed in subfusc clothing and wearing gowns and white ties, assemble in the Apodyterium and subscribe their names in the register. They then enter the House and sit grouped by colleges on benches along the sides of the lower half of the room if the ceremony is held in the Divinity School; if in the Sheldonian, it is customary for the men to sit for the most part on the east side of the area, and the women behind them; but if there are many men they overflow on both sides of the House. The Deans and any Professors² who attend to present for degrees, sit on front benches on either side. By recent custom the women Deans sit on the benches just opposite the Senior Proctor in the Sheldonian, and on the Senior Proctor's side of the House, between the men Deans and the candidates, in the Divinity School. The choice of location of the ceremony is due solely to the number of candidates; if there are few the Divinity School is always used. The Vice-Chancellor is attended only by the bedel of Arts, the other bedels and the University verger are present, but without staves, their duties being to marshal the candidates, to hand the *supplicat* papers to the Proctors, and to call out the style and college of the presenters.

¹ Cox, pp. 250-1. At this time the qualification was an income of £300 a year (*sive in agris, sive in pecuniis*). Compounders paid extra fees—£40 instead of £14 for M.A., and £30 instead of £7 for B.A.

² It is a custom observed by some of the senior Masters among the Deans to sit covered until the Vice-Chancellor enters: they claim that all Deans should do so by virtue of ancient custom (cf. p. 28).

On the entry of the Vice-Chancellor and Proctors, the House rises and is saluted by the Vice-Chancellor and Proctors raising their caps. They sit on chairs on the floor of the House, the Registrar being seated behind the Vice-Chancellor and to his left. The House being seated, the Vice-Chancellor opens Congregation with the phrase 'The reason for this Congregation is that graces and degrees be conferred, and that other business which concerns this Venerable House be transacted. *Causa huius Congregationis est ut gratiæ et gradus conferantur, necnon ut alia peragantur quæ ad hanc Venerabilem Domum spectant.*

The Registrar then certifies that the graces of the several colleges have been granted to the candidates. 'I, the Registrar, certify that all the Candidates, whose names will be immediately submitted to the Venerable House by the Proctors, have been granted graces by the Colleges or Societies for the degree asked, and that they have satisfied me.' *Ego Registrarius testor omnibus Candidatis, quorum nomina Venerabili Domui a Procuratoribus statim submittentur, gratias a Collegiis vel Societatibus suis pro gradibus quæsitis concessas fuisse, et eosdem mihi satisfacisse.* If a Fellow of New College is taking a degree he adds 'also . . . a Fellow of New College has been granted a grace for his degree by his College and has satisfied me'. *Item . . . Collegii Novi Socio gratiam a Collegio suo pro gradu . . . concessam fuisse et eundem mihi satisfacisse.*

For the incorporation of a graduate he adds: 'Further I testify that . . . has been given permission to incorporate by the Hebdomadal Council, has produced all the testimonials required by the Statutes, and has satisfied me.' *Insuper testor . . . licentiam incorporandi per Concilium Hebdomadale datam fuisse, et eundem testimonia omnia, quæ per statuta requiruntur, exhibuisse, et eundem mihi satisfacisse.*

For the incorporation of an undergraduate he adds: 'Further I certify that . . . has produced all the testimonials required by the statutes for incorporation, and has satisfied me.' *Insuper testor . . . testimonia omnia, quæ per statuta pro incorporando requiruntur, exhibuisse, et mihi satisfacisse.*

Both Proctors then rise and cap the House, and the Senior Proctor reads out the *supplicat* of the higher degree to be taken. The form of the *supplicat* varies for the different degrees, but the difference only amounts to the description of the candidate, that is, to the status or degree he holds in the University, whether scholar, bachelor, or master. Herein ancient history has left its traces; those supplicating as Doctors of Divinity, Medicine, and Law, as Masters of Surgery,¹ and as Masters of Arts beg leave to be admitted to 'incept in the faculty', all others beg leave to be admitted to such and such a degree. The *supplicats* for the senior degrees, including M.A.s, are read by the Senior Proctor, the others by the Junior Proctor. The form of *supplicat*, omitting the parts which may differ, is as follows: 'A.B. of C. College <here follows his status or degree and faculty>, who has completed all that is required by the Statutes, except in so far as dispensation has been granted, asks the Venerable Congregation of Doctors and Regent Masters that these things may suffice for admission to the degree of . . . <or inception in that faculty>.' *Supplicat* (vel *supplicant*) *venerabili Congregationi Doctorum et Magistrorum regentium A.B. . . . e collegio C., [D.E. e coll. F., &c.] qui complevit* (vel *compleverunt*) *omnia quæ per statuta requiruntur (nisi quatenus cum eo <vel ea vel eis> dispensatum fuerit); ut hæc sufficiant, quo admittatur* (vel *admittantur*) *ad gradum <vel ad incipiendum> . . .*

All persons taking the same degree have their names read out together, being grouped by colleges. In the case of B.A.s and M.A.s, the list is sometimes long, and the latinized Christian names often tax the Proctor who has to read them out. The Proctors then raise their caps, walk down the House, and return to their places.² The Proctor who has read out the '*supplicat*' raises his cap and says 'This grace has been granted and we so pronounce it granted', *Hæc gratia concessa est et sic pronuntiamus concessam*, or when, as more

¹ See also p. 13.

² Huber, *English Universities*, II. i. 134. Illustration of Proctors 'walking', 1842.

frequently happens, there are several graces, *Hæ gratiæ concessæ sunt et sic pronuntiamus concessas.*

In the very unlikely event of a grace being refused, the Proctor reads out first the names of those whose graces have been granted, *Horum gratiæ concessæ sunt &c.* The Vice-Chancellor, or his deputy, both Proctors, or their deputies, can veto any grace, which must be done before the Proctors' walk, but this veto has not been exercised for very many years.

The candidates are then presented to the Vice-Chancellor and Proctors by the appropriate Regius Professor for Doctors and Bachelors of Divinity, Medicine, and Law, and for Masters of Surgery; by the Sedleian Professor for Doctors of Science and Philosophy; by the Regius Professor of Greek for Doctors of Letters; by the Professor of Music for that faculty, and by the deans of their colleges or societies for Masters of Arts and Bachelors of Science, Letters, and Arts.

It is a tradition that as far as possible no one shall present unless he possesses either a similar degree, or a higher degree than that for which the candidate supplicates, but the statutes allow a Master of Arts to depute for any of the Professors.

The presenter comes forward and faces the Vice-Chancellor and Proctors. The candidates (or candidate) walk to his right hand, taking care not to walk between the Vice-Chancellor and their presenter in taking up their position. The presenter, grasping the hand of the candidate or one of the candidates with his right, then says, 'Most distinguished Vice-Chancellor' (and bows) 'and you, excellent Proctors' (bowing to each in turn), 'I present to you . . .' here he does not name the candidates, but merely gives their status—scholars, bachelors of Arts, &c.—and names the degree they are to take. *Insignissime Vice-Cancellarie, vosque egregii Procuratores, præsentō vobis hunc meum scholarem* {*vel hunc Baccalaureum*} . . . *ut admittatur ad gradum* {*vel ad incipiendum*} . . .

There are certain differences in the formulas. That for the B.A. repeats the faculty, *scholarem in facultate Artium*, . . . *ad gradum Baccalaurei in Artibus*. The other formulas for Arts



THE WALK OF THE PROCTORS

degrees, except that of M.A., namely the Doctorates in Philosophy, Letters, and Science, mention the degree, having previously referred to the candidate as a scholar, bachelor, or master in Arts. The remaining formulas mention the faculty once and then add at the end 'bachelor' (or 'inceptor') 'in the same faculty'. It should be noted that only candidates in the new doctorates in Arts are styled 'doctors' in the formulas, in the other faculties the candidate incepts, but he has already incepted in Arts when he took his M.A. If by any chance the candidate has not taken his M.A., he may take it at the same Congregation in which he takes his doctorate.

The presentation form for the degrees in Music is different and of ancient lineage. The presenter says: 'Most distinguished &c., &c., I present to you this student in the faculty of Music to be admitted to the degree of Bachelor in the same faculty. You have received abundant testimony that he is fit, proper, and suited for this admission under the signatures of men very skilled in the art of music.' *Insignissime &c., præ-sento vobis hunc scholarem in facultate Musicæ, ut admittatur ad gradum Baccalaurei in eadem facultate; ad quam admissionem eum aptum, habilem et idoneum esse, sub chirographis hominum in arte musica peritissimorum abunde testatum accepistis.*

Candidates for a bachelor's degree in the higher faculties are described as *studiosi*, and allusion has already been made to the fact that *studiosus in jure civili* was a status and had its appropriate dress. The modern status of advanced student is not recognized in the degree ceremony itself.

The candidates are then marshalled by the bedels in front of the Junior Proctor, a proceeding which often lacks the dignity it deserves. Each is given a New Testament in order to take the oath, which is the only remaining one to be sworn on a Testament. The Junior Proctor administers the long charge to inceptors in the four older faculties, that is to Doctors of Divinity, Medicine, and Law, and to Masters of Arts. Although the Statutes do not say so, it is probable that it should also be administered to the Master of Surgery,

as he takes his degree kneeling (see below). The form of the long charge is:

‘(Doctors, Masters, or Sirs) You shall swear to observe the statutes, privileges, customs, and liberties of the University. Also when you shall have been admitted to the House of Congregation and to the House of Convocation, you shall bear yourselves in them well and faithfully to the honour and profit of the University. And especially in those matters which concern degrees and graces you shall not impede the worthy or put forward the unworthy. Also at elections you shall record and nominate one only at any one time and no more in each scrutiny and nominate no one unless you know of a certainty or firmly believe that he is fit and proper.’ The candidate replies ‘I swear’, holding up the Testament. (*Domini Doctores, Magistri, vel Domini*) *vos dabit is fidem ad observandum statuta, privilegia, consuetudines et libertates istius Universitatis. Item quod quum admissi fueritis in domum Congregationis et in domum Convocationis, in iisdem bene et fideliter, ad honorem et profectum Universitatis, vos geretis. Et specialiter quod in negotiis quæ ad gratias et gradus spectant non impedietis dignos, nec indignos promovebitis. Item quod in electionibus habendis unum tantum semel et non amplius in singulis scrutiniis scribetis et nominabit is; et quod neminem nominabit is nisi quem habilem et idoneum certo sciveritis vel firmiter credideritis. Resp. Do fidem.*

Candidates for any other degree are administered the short charge by the Junior Proctor. ‘(Doctors, Masters, or Sirs), You shall bind yourselves to observe all the statutes, privileges, customs, and liberties of the University, so far as they concern you.’ (*Domini Doctores, Magistri, vel Domini*) *vos tenemini ad observandum omnia statuta, privilegia, consuetudines, et libertates istius Universitatis, quatenus ad vos spectent.*

The inceptors in the higher faculties (including Masters of Surgery) then kneel before the Vice-Chancellor.¹ If there are many candidates they kneel four at a time, but throughout this

¹ Except Doctors of Music, who are admitted to inception ‘sub solenni verborum forma’ standing (*stantes Vice-Cancellarii verba accipiant*). *Stat.*, tit. ix, sect. II, § 2, 7.

ceremony each degree is taken separately, and once candidates have been presented, they group themselves together irrespective of colleges. The Vice-Chancellor raising his cap, the Proctors doing likewise, says: 'To the honour of Our Lord Jesus Christ', here he puts on his cap, 'and for the profit of holy mother Church and of learning, I by my authority, and that of the whole University, give you licence to incept in the faculty of . . . to lecture, to dispute, and to do all the other things which pertain to the rank of Doctor (or Master) in the same faculty when those things are completed which the statutes require'. Here he and the Proctors raise their caps, 'In the name of the Father, and of the Son, and of the Holy Ghost'. *Ad honorem Domini nostri Jesu Christi, et ad profectum sacrosanctæ matris ecclesiæ et studii, ego auctoritate mea et totius Universitatis do tibi (vel vobis) licentiam incipiendi in facultate Artium (vel facultate Chirurgiæ, Medicinæ, Juris, S. Theologiæ) legendi,¹ disputandi, et cætera omnia faciendi quæ ad statum Doctoris (vel Magistri) in eadem facultate pertinent, cum ea completa sint quæ per statuta requiruntur; in nomine Domini, Patris, Filii, et Spiritus Sancti.*²

As he mentions the persons of the Trinity he touches the heads of the candidates in turn with the Book, beginning with the candidate on his left, and dividing up the last two words so that four candidates may be received. If there are three the last two words are said over the last candidate. If there are many candidates, as often happens for the M.A. degree, this is repeated over and over again for each four. When there are candidates to whom this formula is unacceptable on religious grounds, the Vice-Chancellor begins with 'I by my authority' and ends with 'the statutes require'.

The candidates after admission rise and go out through the door. They then robe themselves, and when ready are

¹ *Legere* (to read), but here used in the ancient sense of 'to lecture'. To-day we should say 'to teach'.

² See Plate I. This formula dates back to the Middle Ages (*Statuta antiqua*, 36). In the *Laudian Code* the faculties are given in the order Law, Medicine, and Theology. It should be added that the reference to a Faculty of Surgery is a modern error. Surgery was never a Faculty.

escorted by the Bedel of Arts, carrying his staff, from the door opposite the Vice-Chancellor. They bow to the Vice-Chancellor, who, if they are Doctors, shakes them by the hand. The Doctors then pass between him and the Senior Proctor and take their places in the Doctors' seats.¹

As there is often much business before the House, further presentations are usually made while the new graduates are robing. At any convenient pause in the proceedings degrees in absence are given. The names are read out with those of the other candidates in the *supplicat* lists. Unless there is an adverse vote the Vice-Chancellor at a convenient time rises (the Proctors doing likewise) and says: 'I, Vice-Chancellor, by my authority and by that of the whole University, admit to the degree of . . . A.B. of C. College even in his absence.'

Ego Vice-Cancellarius, auctoritate mea et totius Universitatis, admitto ad gradum, &c. (vel ad incipiendum, &c.) A.B. e Collegio C. etiam absentem.

The Vice-Chancellor and Proctors seat themselves, and the business of the House proceeds.

Candidates even for the high degrees of Doctor in Science or Letters are admitted with a less elaborate ceremony. The Vice-Chancellor admits them to the degree '*Domine (vel Magister) ego admitto te (vel vos) ad gradum . . .*' a brief and disappointing form of admission considering the standing of some of the degrees thus conferred, but resulting naturally from the historical development of the whole degree ceremony.

The Baccalaureate of Arts has a longer form of admission: 'Sirs, I admit you to the degree of Bachelor in Arts; further, by my authority and that of the whole University I give you the power of lecturing, and of doing all the other things which

¹ There is some divergence of practice here. Some Vice-Chancellors rise and shake hands, the Proctors rising also. Most remain seated, which is the correct practice. The new doctors have only to take their seats formally, they need not afterwards remain in the House. They are often uncertain on this point, and it would be a graceful act on the part of their presenters to inform them. Until recently the doctors came up separately after robing; it is now customary for them to re-enter in a body.

concern the same degree.' *Domine* (vel *Domini*), *ego admitto te* (vel *vos*) *ad gradum Baccalaurei in Artibus; insuper auctoritate mea et totius Universitatis, do tibi* (vel *vobis*) *potestatem legendi, et reliqua omnia faciendi quæ ad eundem gradum spectant.*

The full ceremonial detailed above is gone through for each degree with the necessary variations according to the degree. *Supplicats* for both men and women are read together, but they are presented separately for each degree, the men first, then the women. Originally, when women were first given degrees, they were all taken last irrespective of the degree they were receiving. When the last of the B.A.s have received their degrees, unless there are incorporations,¹ the House rises. The Vice-Chancellor stands, raises his cap, and adjourns the House. *Continuamus hanc Congregationem.*

Attention should be drawn to this adjournment. Convocation and Congregation are *dissolved*; the Ancient House is *adjourned*, theoretically by ancient custom with the consent of the House and dissolved only at the end of the academical year.

As the proceedings are complicated it may be worth while to summarize the procedure as given above.²

1. Opening of Congregation by the Vice-Chancellor.
2. Testimonial of the Registrar, covering all candidates.
3. *Supplicat* read separately for each degree, by the Senior or Junior Proctor.
4. The Proctors' walk.
5. The presentation of candidates.
6. The long or short charge before the Junior Proctor.
7. Admission of candidates by the Vice-Chancellor, with the long form, the inceptors kneeling; simple admission for the others.
8. Senior candidates return and bow.
9. Adjournment of House.

¹ The B.A.s do not return robed to make a bow to the Vice-Chancellor: the return of the M.A.s is the last relic of admission to Congregation, to which of course only Regent Masters were eligible.

² Compare p. 73 above.

Each candidate goes through the ceremony in that order, but no. 8 comes at any time convenient to the Vice-Chancellor.

HONORARY DEGREES

The history of the conferment of honorary degrees is rather obscure. In the Middle Ages the possession of academic honours was of great value to those seeking preferment in Church and State, and as dispensation from some part of statutory requirements¹ for degrees was an ordinary proceeding it naturally followed that even in the earliest period the University was occasionally pressed to grant exemption from all statutory requirements,² and to give graces to persons unworthy of academic advancement.³ Distinctions so obtained must therefore be considered as wholesale dispensations rather than degrees conferred for honourable cause, which generally speaking has always been their justification. Conferred but rarely in the early period, degrees by creation⁴ became well established in the Elizabethan age, were brought into contempt in the Caroline age, and were gradually rehabilitated from the end of the seventeenth century. In the fifteenth century the degrees conferred on Lionel Wydville and on John Bouchier, Archbishop of Canterbury, may be considered as honours deservedly won.⁵ In the second half of the sixteenth century degrees of creation became increasingly common, especially on the occasion of royal visits. Twelve persons of the royal retinue were made Masters of Arts in 1566, and on a similar occasion in 1592 eighteen persons of distinction also had the degree of Master conferred on them.⁶

¹ *Statuta antiqua*, cxix.

² *Ibid.* 49; *Mun. Acad.* 207.

³ Bekynton, *Correspondence* (R.S.), i. 101, 102, 223; Gascoigne, *Loci e Libro veritatum*, ed. Rogers, 3.

⁴ The expression 'degrees by creation' is used here in the sense in which it is used by Wood (cp. *Ath. Oxon.*) and by Clark: 'used of persons who had the degree of M.A. or of Doctor in a faculty conferred upon them without passing through a University course (or after passing through only a partial course) and without performing the exercises' (Clark, *Reg.* II. i. 234).

⁵ *Epist. Acad.* (Anstey), ii. 448, 460.

⁶ Clark, *Reg.* II. i. 235. In the next century such degrees were not

When James I visited Oxford in August 1605 no fewer than forty-three of his train received Master's degrees. Fifteen of these were earls and barons, and it is expressly stated in the Register of Convocation that they were given full power of voting both in Convocation and Congregation.¹ Presumably at this period a recipient of a degree by creation might or might not be admitted to full privilege.

The earliest account of the conferment of a degree of this kind is probably that contained in the oration which the Regius Professor of Divinity delivered when the Bishop of Salisbury was created a D.D. in 1599.² The degree was conferred at Salisbury, whither the Vice-Chancellor, the Professor, the Proctors, and the Registrar proceeded. The Professor informed his audience that the University had sent them to Salisbury to decorate the Bishop 'honorificis Doctoris in Theologia insignibus', and had by decree authorized them to confer the degree in the Bishop's Palace with the same ceremonies as were observed in the Convocation House of Oxford. He then proceeded to reconstruct for their benefit the scene at St. Mary's—in the centre would be the Vice-Chancellor's chair, here the Proctors would be seated, there the concourse of learned men surrounding them recalled

always conferred without cost to the University, 'Item to the Stamp-Office for Degrees conferred upon the Nobilitie and Gentry when the King and our Chancellor were last at Oxford. £18. 02 00' (*V.C. Computus*, 1695/6).

¹ Reg. Conv. M 89^r, v; Wood, *Ath. Oxon. Fasti* (ed. Bliss), 312-16; Clark, *Reg.* II. i. 236-7.

² *Oratio Sarisburie habita VIII Id. Iun. Authore T. Holland.* (Oxon., 1599). 'Acta in Conuocatione 10^o die Maii 1599. Supplicatur venerabili Conuocationi Doctorum, Magistrorum regentium et non regentium vt reuerendissimus in Christo pater Henricus Cotton Sarisburiensis episcopus gratiosa vestra cum dispensatione ad gradum doctoratus in theologia non obstantibus quibuscunque statutis, impensis, cæterisque actibus solennibus in eadem facultate prius præstandis, Sarisburie vel quocunque loco sibi visum fuerit, admittatur, solenniter creetur et inauguretur in eadem facultate. Causa est quod magno Academiæ huic nostræ futurum sit ornamento, vt hoc gradu vir tam venerabilis et de Ecclesia optime meritus insigniatur et Episcopali curæ et visitationi intentus Academiæ commode interesse non potest. Hæc gratia et dispensatio simpliciter vnanimi consensu omnium in conuocatione existentium conceduntur' (Reg. M 37^v).

'theatrum Academiae amplissimum'. Having enlarged on the importance of the degree the Professor proceeded to bestow the insignia which had already long been in use in the University, at the same time explaining what each of them was intended to signify. The Bishop was clothed in a scarlet robe—in such vesture, dipped in blood, Christ goes forth to war; shoes were placed on his feet—a warning that even the smallest occasion of stumbling is to be avoided; in his hand was placed the Book of Life everlasting, holy, sealed, prophetic, and perfect—holy, to be treated by him with all reverence; sealed—to be opened to him by the Lamb of the Tribe of Judah; prophetic—that he might know that all things in the New Covenant had been foreshadowed in the Law and the Prophets; perfect—as being in itself sufficient unto eternal life. The Ring was put on his fourth finger in token of his union with the souls of true believers; the Cap was placed upon his head, the sign of one who bears the Gospel of Christ; and lastly the Bishop received the Kiss, the holy salute of charity and peace. The Professor then pronounced him 'in Theologia Doctorem esse, et Academiae Oxoniensis Doctorem'.

Occasionally the University in conferring such degrees gave the recipient a diploma. Robert Skinner, bishop-elect of Bristol, for instance, was created D.D. in absence in August 1636. The *supplicat* in the Convocation register records that it was to be conferred 'absque ulla præsentationis seu creationis solennitate solo Diplomate, appenso Universitatis sigillo, gradus doctoralis collationem testante', and the diploma itself that the recipient was admitted to all the privileges and prerogatives of his degree.¹ Diplomas were also given to persons, if sufficiently distinguished, at the time of their presentation in Convocation, as in the case of Baron John Oxenstierne and Gustavus Horne, a Swedish noble, who were created M.A.s at Oxford in March 1633.² They were pre-

¹ Reg. Conv. R 131^v. It was usual until quite recently to confer the degree of D.D. on members of the University promoted to Bishoprics if they were not already invested with that degree, and this degree was similarly conferred on the Most Rev. Dr. Wand in 1934.

² There was of course good reason for bestowing diplomas on foreigners,

sented in scarlet gowns and hoods by Sir William Fleetwood, and after presentation were admitted to Convocation and took their seats respectively to the right and left of the Vice-Chancellor. The University accounts give the additional information that gloves to the value of £3 were presented to them, and that the sum of £2 9s. was spent on 'silver seals sett to the Testimonials of their beeing created Masters'.¹

Towards the end of the seventeenth century the registers sometimes record the introductory speech of the Public Orator.² Moreover, the purely titular degree, such as we know it to-day, conferring no rights on the recipient, makes its appearance with the formula 'ad gradum academicum honoris ergo solenniter praesentatus et admissus'.³ The earliest example of the use of the words *honoris causa* appears to be on 9 July 1717 when it occurs in the grace of Sir Henry Hoo Keate, who was made an honorary M.A.⁴ From that time onwards *honoris causa* is the ordinary expression.

At the end of the eighteenth century the degree of Hon. M.A. had fallen from its high estate. The nadir is thus recorded by G. V. Cox, 'At the Commemoration of 1800 . . . there was no Honorary D.C.L. Degree. By way of compensation, or to help out the show, there were three Honorary Masters. This, by-the-bye, was adopted in those days as a handsome way of dismissing a dull or idle Gentleman-Commoner of good family and expectations; especially when the

who would naturally wish to have documentary evidence of the reception of their degrees.

¹ Wood also records that (*Ath. Oxon. Fasti*, ed. Bliss, i. 467) a short speech was delivered by the Vice-Chancellor. It is still customary to enclose the seals of diplomas in small silver cases. Alexander Rhead, who was created M.D. in May 1620, received his diploma in a box fastened with silk ties costing 1s. 4d. (Reg. Conv. Nf. 90; *V.C. Computus*).

² Item to Mr James for writing Dr Justellus his Diploma & for Velam 1. 10. 0. 'Item for a silver box gold braid for the seale of ye Diploma 1. 7. 0' (*V.C. Computus*, 1674/5). In 1768 a gold box for the diploma of the King of Denmark cost £24 14s.

³ The earliest seems to be that delivered on the occasion of the Duke of Neubourg being created a D.C.L., 1675 (Reg. Tb 28 ff. 101^v, 102).

⁴ As on the occasion of a royal visit in 1695 (Reg. Bc 30 p. 76).

⁵ Reg. Bd 31 f. 142^r.

New *Public Examination* Statute was looming in the academical horizon. The "Presentator" to these Hon. M.A. Degrees was (and is) the Public Orator; but as in most cases of this kind he could have few or no materials for an eulogistic Latin speech, he was generally represented by the College Tutor, who, of course, knew and could say something of the young man or his connections, or his plans for enlarging his mind by foreign travel, &c. "Hunc, igitur, adolescentem ingenuum praesento vobis," &c.¹

Modern Procedure

Honorary degrees may be presented at an ordinary meeting of Convocation, when they usually are taken first, or at a special meeting held for the purpose, either before a meeting of the Ancient House, or solely for conferring the degree.² They may be given with a minimum of state or, at the Encaenia, with the full complement of ceremony. At a normal meeting of the House, the question is put in the usual way. A bedel is then sent to fetch the Public Orator and the honorand, who, wearing full robes of the degree to be conferred on him, has in the meanwhile been signing his name in a register in the Divinity School. The procession moves up the floor of the House, and on reaching the middle of the House (opposite

¹ Cox, *Recollections*, 43-4. By a resolution of the Hebdomadal Council in 1803 'it was agreed that gentlemen commoners leaving the University at two years and a half standing, may be admitted to the Honorary degree of Master of Arts'. Samuel Tyssen of Corpus, who matriculated in 1803, received such a degree in 1806: he does not appear to have performed any academical exercises. The granting of Masters' degrees to gentlemen commoners (*honoris causa*) was, however, well established in the eighteenth century.

² In some cases the honorand meets the Vice-Chancellor and Proctors in the Clarendon building and goes in procession with them to the Apodyterium, where he is met by the Public Orator and remains to sign his name, while the procession enters the House. General Smuts, before delivering one of his Rhodes Lectures, had what is probably the unique experience of receiving a degree in the Sheldonian and lecturing in that building immediately afterwards. Professor Einstein also lectured immediately after receiving an honorary degree, though not in the same place. Mrs. Charlotte B. Green, in 1921, was the first woman to receive an honorary degree.

the gangway in Convocation House), halts. The Public Orator, bowing to the Vice-Chancellor and Proctors, makes a speech in Latin, at the conclusion of which he holds the honorand's right hand in his own and makes a formal presentation, the new doctor (master) advancing to the dais and halting below the steps. The Vice-Chancellor rises, raises his cap, and makes a short Latin speech of welcome, he and the Proctors standing bareheaded. At the conclusion of this speech the new doctor steps forward, and the Vice-Chancellor shakes him by the hand and motions him to a seat among the doctors. The new doctor usually listens to a little of the business which follows, but is of course at liberty to leave the House at any time he may wish to do so.

Degrees conferred by diploma¹ are usually occasions for considerable state. A meeting of Convocation is often held specially for that purpose, the motion consenting to the conferment having been passed at a previous business meeting. If the Chancellor or Royalty is present, the bedels wear bands and carry their staves the right way up. They escort the Chancellor, or Vice-Chancellor, and a procession follows, all the doctors wearing their robes. The members of the House, if doctors, wear robes; otherwise, gowns and hoods.

The procession enters the Theatre by the great south door, the new doctor being on the Vice-Chancellor's right. He is placed in a chair beside the Vice-Chancellor. Convocation is then opened in the usual way, the Vice-Chancellor stating

¹ One of the best known is the degree conferred on Dr. Samuel Johnson in February 1755. Boswell thus refers to it: 'The degree of Master of Arts, which . . . could not be obtained for him at an early period of his life, was now considered as an honour of considerable importance, in order to grace the title-page of his Dictionary' (*Life of Johnson*, ed. by L. F. Powell, i. 275).

When Robert Browning received the M.A. degree by diploma in 1867 the Registrar informed him that it was 'not a lower degree than that of D.C.L., but a much higher honour, hardly given since Dr. Johnson's time except to Kings and royal personages' (Orr, *Life & Letters of Browning*, new ed., 265). Degrees by diploma admit the recipient to the enjoyment of all the rights and privileges belonging to the degree. It is not in accordance with general academical usage, both in this country and on the Continent, to confer an honorary degree by diploma.

that the purpose of the Convocation is to confer a degree by diploma on . . . and to do such other business as may concern this venerable House. He then tells the Public Orator to read the diploma.¹ This is read by the Orator facing the House,

¹ At the installation of a Chancellor who usually receives a D.C.L. by diploma, the diploma is not read, only the instrument of election, but the Public Orator makes a speech. A detailed account of the presentation of degrees by diploma to the Emperor of Russia, the King of Prussia, and the Duke of Wellington in 1814 is contained in *An account of the visit of the Prince Regent . . . to the University of Oxford June 1814*. The ceremonial on that occasion—the precedent for modern procedure—was: ‘. . . At a meeting of the Vice-Chancellor, Heads of Houses, and Proctors, June 11, 1814, it was agreed that . . . the Degree of Doctor in Civil Law by Diploma should be proposed to Convocation to be conferred on their Imperial and Royal Majesties the Emperor of Russia and the King of Prussia. . . . At two o’clock of the same day (June the 13th), the Chancellor held a Convocation, for the purpose of proposing the Diplomas of their Majesties the Emperor and the King. . . . The next morning, Wednesday June the 15th, a Convocation was holden at eight o’clock, in which the Degree of D.C.L. by Diploma was voted to their Royal Highnesses,

The Prince Royal of Prussia,
Prince William of Prussia,
Prince Frederick of Prussia,
Prince Augustus of Prussia, and
Prince William, Brother of the King of Prussia:

And also to

His Highness Prince Charles Augustus of Hardenberg, Chancellor
of State to His Majesty the King of Prussia:

And to

His Excellency Baron Jacobi Klöst, Envoy Extraordinary and Minister Plenipotentiary from His Majesty the King of Prussia to this Court. . . .

(9 a.m.) ‘At the conclusion of the Public Orator’s speech, Dr. Phillimore, the Regius Professor of Civil Law, standing in the area of the Theatre, as is usual for the Professor or other public Officer presenting to Degrees, humbly informed their Majesties, the Emperor and the King, that the University had conferred upon them the Degree of D.C.L. by Diploma; addressing himself first to the Emperor of Russia, and then to the King of Prussia, in the following speeches:

. . .

‘At the close of the first of these speeches, the Chancellor, receiving the Diploma of the Emperor from the hands of the Pro-Vice-Chancellor, directed the Proctors humbly to present it to His Imperial Majesty, which they did kneeling. The same form was observed in delivering the Diploma of the King of Prussia; and each of these Sovereigns, as he received it from the hands of the Proctors, rose, and bowed to the Prince Regent, and then condescended to honour the Chancellor and the Convocation with a similar mark of their gracious acceptance of this token of respect.

‘On the conclusion of this ceremony, the Chancellor next proposed, and

not facing the Vice-Chancellor. The diploma is then placed in a box and presented to the new doctor by the Vice-Chancellor. The doctor then rises and addresses the House in English or Latin. Should a royal lady not wish to speak personally, it is customary for her to ask the Vice-Chancellor to be her mouthpiece, he of course speaking in Latin. The Convocation is then closed and the procession leaves the Theatre. If the Chancellor is present he, of course, presides unless he should himself be receiving a degree, when the Vice-Chancellor presides.

read to Convocation, a Diploma conferring on his Grace the Duke of Wellington the Degree of D.C.L. The usual form is that such Diplomas are read to Convocation by the Registrar; but this mode was adopted, in the present case, in testimony of peculiar respect. In voting this Degree His Royal Highness the Prince Regent, and their Imperial and Royal Majesties, concurred as Members of Convocation, and it was agreed to by the whole House with loud and repeated acclamations.

'The Chancellor next proposed that the Honorary Degree of D.C.L. should be conferred upon His Excellency Count Lieven . . . Prince Metternich . . . and upon Field Marshal Blucher . . . Each of these Degrees was assented to unanimously, and with loud applause.

'These illustrious Personages were then conducted into the Theatre, preceded by the Bedels, and attended by the Regius Professor of Civil Law, who presented them to the Chancellor and Proctors successively in the following speeches. . . .

'At the close of each of the Professor's Speeches, the Illustrious Personage, who was the subject of it, was admitted by the Chancellor to his Degree in the usual form, and conducted to his seat amongst the Doctors. . . .'

THE ENCAENIA

THE annual ceremony called the Encaenia is all that remains of the Act which, with the introductory Vespers, was until 1669 celebrated in the Church of St. Mary the Virgin. The use of the Church in medieval times was not inappropriate since all scholars were under ecclesiastical discipline. Gradually, however, a very secular element developed in University ceremonies. This doubtless first made its appearance in the Vespers when the recipients of degrees were commended by the master under whom they incepted. Originally this was a solemn act—the saintly Thomas de Cantilupe was in 1273 so commended by no less a person than Robert Kilwardby, Archbishop of Canterbury—but by the beginning of the fifteenth century the commendation had already descended to gross personalities,¹ a kind of ribaldry which later was carried to intolerable lengths by the *Terrae Filius*. This ever-growing licence at last, in the seventeenth century, aroused the conscience of the University and it became an obligation to end the desecration of a sacred building. The Sheldonian Theatre, therefore, was built in 1669 by

¹ The following is a free version of the commendation of Dobbys of Merton College in 1420: 'Mr. Dobbys's name denotes duplicity and fickleness, because firstly D stands for Duplex; secondly, his name has two syllables; thirdly, it has a double B in the middle, and fourthly, *bis* at the very end. Mr. Dobbys has a large head, a very low forehead, beetling eyebrows, black staring eyes, a monstrous mouth, a large nose, a protruding upper lip, and big ears; features which prove him undisciplined, choleric, unsteady, impetuous, proud, feeble, fatuous, unvirtuous, greedy, wicked, rough, quarrelsome, abusive, foolish, and ignorant. It is related of him that one night after a deep carouse, when on his way from Carfax to Merton, he found it advisable to take his bearings. Whipping out his astrolabe he observed the altitude of the stars, but, on getting the view of the firmament through the sights, he fancied that sky and stars were rushing down upon him. Stepping quickly aside he quietly fell into a large pool. 'Ah, ah,' says he, 'now I'm in a nice soft bed I will rest in the Lord.' Recalled to his senses when the cold struck through, he rose from the watery couch and proceeded to his room, where he retired to bed fully clothed. On the morrow, in answer to kind inquiries, he denied all knowledge of the pool. Thus were his feckless drunken ways amply proved' (*Bodl. Quarterly Record*, vi. 107-8).

the munificence of Gilbert Sheldon, Archbishop of Canterbury, so that a more convenient place might be provided for the Act and for academical exercises of greater solemnity, and especially that the Church of St. Mary the Virgin, repeatedly desecrated by the tumult and licence of the Act, might be with due reverence dedicated wholly to pious offices and to divine worship.¹

The dedication (*encaenia*) of the Theatre in 1669 was from that time onwards observed every year, and gradually with the desuetude of disputations became the more important of the general proceedings and ultimately was the only part to survive.²

During the Commonwealth period Wood says that the disputations were well ordered, but after the Restoration it was by no means uncommon, in order to avoid political disturbance, for the Act to be dispensed with; perhaps the chief reason being that it introduced into University life an undesirable element. Itinerant players were allowed to enter the town, fairs with jugglers and rope-walkers added to the amusement of the scholars, while the speech of the *Terrae Filius* attracted large crowds of the less desirable sort to the Theatre. Although his satirical speech became more and more unrestrained, no definitive action was taken until 1713 when the *Terrae Filius*, in so far as being a main actor, was suppressed. The Act sermon only survived, but in 1733 the Act was again revived for the last time, and was rendered memorable by the series of concerts given by Handel³ in the Sheldonian Theatre. As a full account of the proceedings by James

¹ *Laudian Code*, 305. An addition to the Code.

² Cf. Magrath, *Flemings in Oxford*, I. 531-5, for the Order of the Act in the seventeenth century.

³ 'One Handel, a forreigner (who, they say, was born at Hanover) being desired to come to Oxford, to perform in Musick this Act, in which he hath great skill, is come down, the Vice-Chancellour (Dr. Holmes) having requested him to do so, and as an encouragement, to allow him the Benefit of the Theater both before the Act begins and after it. Accordingly he hath published Papers for a performance today at 5s. a Ticket. This performance began a little after 5 o'clock in the evening. This is an innovation.'—Hearne, *Collections*, xi. 224.

Edgcumbe, the Junior Proctor,¹ has been preserved together with eyewitness accounts by T. Brett² and Thomas Hearne,³ it may be worth while describing this particular Act in some detail.

The Junior Proctor's memoranda begin with:

The Vice-Chancellor's Programma. To the Revd. and Worshipful the Heads of the respective Colleges and Halls of the Univ. of Oxford.

Gentlemen,

You are desired to signify to your Societies, that during the Approaching Solemnity which begins on the Sixth Day of July, all Doctors are to wear their Scarlet Gowns, and that the Exercises will begin at one of the Clock in the Afternoon after the Ringing of the little Bell at St. Mary's.

You are farther desired to let them know, that the rising Semi-circle of the Theater is reserved for Noblemen and Doctors; and that the Enclosure within the Rail is the Place for Inceptors in Arts; The Gallery beyond the Doctors in the Circular part of the Theater will be the Place of Masters. The side Gallery westward is reserved for the Gentlemen of the University of Cambridge: That Eastward for Strangers. The Galleries in the front for the Ladies. The upper Gallery above the Masters is appointed for Gentlemen Commoners and Batchelours. Those above the Cambridge Gentlemen and Strangers for Undergraduate Scholars of Houses and Commoners. That above the Ladies for the Performances in Musick. The rest of the Area for Batlers, Servitors, &c.

For preserving of Order there are, beside the Curators of the Theater, appointed several Proctors of it; who according to the Statute in that behalf, are to take care that the publick Peace be not disturbed; and that all persons be placed in their aforesaid Stations; for whose Assistance there are designed several Officers and Door keepers to execute their Commands.

It is strictly required that during the time of the Act, all persons

¹ [Bodl.] MS. Top. Oxon. f. 44.

² [Bodl.] MS. Eng. th. c. 36, pp. 65-7.

³ *Collections*, xi. 224 sqq. [Bodl.] MS. Top. Oxon. e. 214 contains some of the verses which were recited, including *Colonia Georgiæ deducta*, and printed texts of the following: Order of Proceedings, Quaestiones, Ordo comitiorum philologicorum, Oratio habita a P. F. Courayer, Tho. Cockman's sermon on Act Sunday morning, and Tho. Secker's sermon in the afternoon. See also *The Oxford Act, 1733* (Lond., 1734).

do appear in their Statutable Habits, and comport themselves with that Sobriety and Modesty, which may tend to the Reputation and Honour of the University; upon Pain of being proceeded against, as the Exigence of their faults shall require.

The Musick usually performed on Saturday Morning between the Hours of six and eight is removed from the Musick School to the Theater by act of Convocation and then the Enclosure within the Rails will be for the Ladies: for whom also the Galleries in St. Mary's are reserved on Act Sunday.

Curators of the Theater

The President of C.C.C. The President of Magd. C.

Proctors <18> appointed for the Act.

July 4, 1733.

W. Holmes, Vice-Chan^r.

The Proctors are desired to meet during the Act punctually at one of the Clock in the Apodyterium of the Convocation House.

On Friday, 6 July 1733, at 1 p.m. a lecture was delivered by the Professor of Poetry in the Theatre. The general proceedings were opened by one of the inceptors in Arts with a speech. After a short concert the Philological exercises began. These consisted of Latin verses and speeches read by young noblemen and gentlemen of good rank and status. Among the subjects dealt with were the King, the Royal Family, the Princes of Orange, the Clarendon Press, the University Almanack, the Orrery, the colony of Georgia, the burning of the Cottonian Library, and 'Bellus homo et Academicus'. The proceedings, after another short concert, were closed by another inceptor in Arts.¹

On the following morning at 7 a.m. a concert was given in the Theatre and at 8 a.m. the lecturers in grammar, rhetoric, logic, moral philosophy, geometry, astronomy, natural philosophy, and metaphysics assembled at St. Mary's and were severally escorted to their respective schools by the bedel of

¹ In the past it had been customary to admit theatrical companies to the Town. 'The Players being denied coming to Oxford by the Vice-Chancellor and that very rightly, tho' they might as well have been here as Handel and (his lousy Crew) a great number of forreign filders, they went to Abbingdon, and yesterday began to act there, at which were present many Gownsmen from Oxford' (Hearne, *Collections*, xi. 225).

Arts. The Lady Margaret Professor of Divinity also attended at the Divinity School. The inceptors in Theology, Medicine, Jurisprudence, and Arts assembled between 8 a.m. and 9 a.m. at St. Mary's, and then proceeded to the Schools, where the bedel of Arts for the inceptors invited the lecturers to be present at the Vespers and the Act. The Professors of Theology, Medicine, Jurisprudence, History, Greek, and Hebrew likewise proceeded to St. Mary's and were conducted to the Schools by the bedels. The inceptors then visited the various professors and asked them to attend their Vespers, the bedels requesting the Professors to give a benediction to their respective inceptors. A general benediction was given by the Professor of Divinity.

The Vespers began in the afternoon at 1 p.m.¹ The inceptors in Arts assembled in the Sheldonian, the other faculties in their respective schools. In Theology, Medicine, and Jurisprudence the Professors of those faculties were moderators: the Vice-Chancellor apportioned the time, resident doctors were the opponents, and each inceptor was the respondent in three questions propounded by the Professor of his Faculty.²

The first questions in each of the three superior faculties were respectively (in translation):

Is the whole faith of Christ contained in the simple proposition, that Jesus is the Messiah?

Is purging appropriate in the second fever of small-pox?

Should any one be condemned of a crime on presumption?

The inceptors in Arts assembled in the Sheldonian Theatre

¹ The most detailed account of the order of the disputations, compiled about 1620, is contained in a register in the University Archives. It has been printed in the *Bodleian Quarterly Record*, vi. 108 sqq.

² It was customary to supply verses with the propositions. The verses attached to one of the Law questions 'Should children follow the condition of their father?', relate that the favours of a certain frivolous young woman, Phyllis, had been divided between a Scot, a German, and a Spaniard. Later the question arose, to whom did the child belong? The Spaniard said it was not light enough for his, the German claimed it because it was heavy, while the Scot more confidently asserted that the child was his because it had not a rag to its back (Bodl. MS. Eng. th. c. 36, p. 65). For verses attached to *quaestiones* in the fifteenth century see *Statuta antiqua*, 643 sqq.

and disputed three philosophical questions. The respondent was an inceptor chosen by the Proctors, the opponents were the Senior Proctor, the Junior Proctor, the Pro-Proctor, and the Terræ Filius,¹ the Senior Proctor being the first opponent in all the questions, which were:

Can the properties of spiritual things be deduced by analogy?

Can the Flood be explained mechanically?

Is natural law eternal and immutable?

When the first inceptor had finished disputing he took certain oaths, and the other inceptors were called in turn to dispute.

On Sunday, 8 July, there were two English sermons preached at St. Mary's, one in the morning by Tho. Cockman, the other in the afternoon by Tho. Secker. The Act began at 9 a.m. on Monday with public prayers at St. Mary's, when offerings were made by the inceptors, the Vice-Chancellor, the Proctors, and bedels. Then followed disputations in the Sheldonian, three questions being discussed in each faculty. At the end of each series the inceptors in that faculty were created masters by bestowal of the Book, Cap, and the Kiss. At the end of the proceedings the Vice-Chancellor made a speech after which 'the great Bell at St. Maries immediately rang, and the Vice-Chancellour and Regents of the former year forthwith held a Congregation in the Convocation House to dispense with the Inceptors wearing their Boots and shoes and slops (which they all wear during the Act) any longer, which otherwise they ought to wear for the whole year'.²

Tuesday was devoted to a Latin sermon at St. Mary's and the incorporation of Cambridge graduates.³ In the evening

¹ Hearne remarks on the present occasion that 'the Terræ-filius used formerly to make an ingenious witty satirical speech, most of it in English, in which he exposed (and that was indeed the original design of such speeches) vice and immorality, and discovered the flagrant crimes of many loose Academicians, particularly the abominable Acts of some Heads of Houses; but nothing of this yesterday' (*Collections*, xi. 226). His speech had actually in Hearne's time descended into mere scurrility and abuse.

² *Ibid.* xi. 229.

³ 'Four Cambridge Doctors were admitted ad eundem. . . . Ad eundem means *ad eundem Gradum*, by which the University of Oxford received

another concert was given by Handel in the Sheldonian Theatre, the sum of five shillings being charged for entrance. The whole proceedings closed on Wednesday morning, when honorary degrees of D.C.L. were conferred upon eleven persons. Thus finished the last celebration of the Act according to the old traditions.

By the beginning of the nineteenth century, the Encaenia had become an important function, but unfortunately the Proctors' books are very brief on the subject. Apparently at this time there were three separate ceremonies, the reading of prize compositions, the Encaenia, and the Act.¹ The Encaenia was always held on the Wednesday, three weeks from the beginning of the Act Term. The procedure appears to have been very similar to that in use to-day, save that the Public Orator apparently did not present for honorary degrees, and that Cambridge graduates seized this opportunity to take *ad eundem* degrees.

Although the Act had not been publicly performed since 1733, and with the setting up of examination in the first decade of the nineteenth century its old purpose had entirely passed, certain traces remained, but the Proctors' books are not quite clear. The 1837 book says that one of the Proctors was usually appointed to be the Respondent at the Act, without stating

them as Members of their University and allowed them to be of the same Degree there which had been conferred on them at Cambridge. For this Admission *ad eundem* Dr. Warren says he paid 3*d.* which, he adds, is the cheapest purchase of Honor he ever yet made. He says the two proctors . . . invited all the Cambridge Men and others to the number of 120 to dine with them in the Hall of University College. The Dinner . . . was noble, served up with great Order and Decency and every Body seemed highly pleased with their Hospitable Reception' (Bodl. MS. Eng. th. c. 36, p. 66).

¹ The Proctors' manual states that the prize compositions were read in the Theatre on the day before the Encaenia, but this part of the proceedings seems to have been of no great importance, judging from the remark 'the Proctor is supposed to be present'. It would seem, however, from the manuscript diary of the Rev. John Hill, Vice-Principal of St. Edmund Hall, that between 1821 and 1850 the prize compositions, or at least some of them, were usually read in the Theatre at the Encaenia. On the day before Encaenia there was usually preached the Radcliffe Sermon for the benefit of the Infirmary. There were public rehearsals at the date (see also Cox, *Recollections*, 51; *Oxford Magazine*, 14 June 1934, pp. 823-4).

what his duties were, while the other Proctor was usually appointed to preach the Latin sermon at the Act. On the other hand the 1830 book, which gives the longest account, and which has been followed in the main, makes no mention of a Proctor responding, and says that preachers on Act Sunday ought to be the two junior D.D.s of the year; 'the subject of their sermons is usually connected with the system and studies of the place'. After the Act sermon the Vice-Chancellor entertained at dinner the Pro-Vice-Chancellors, the D.D.s of the year, if in Oxford, the Registrar, and the Proctors.

'The Act is that day on which all degrees in every Faculty are confirmed by the University. For those who during the year have been admitted "ad incipiendum" take their rank only by courtesy, and are not entitled to the full privileges of their degree till after the Act is passed. Every year on the first Tuesday of July, the Proctors are to make out a list of all those who during the preceding year have been admitted as inceptors in any Faculty, and forward it to the Vice-Chancellor. All persons whose names are inserted in this list are formally admitted to their Regency on the last day of Act Term.

'A Chancellor's letter containing a special dispensation is read in Convocation by the Senior Proctor, and submitted by the Vice-Chancellor to the pleasure of the House. The Convocation however is not as usual then dissolved, but a Congregation is held and then the Vice-Chancellor and Proctors return to Convocation. It is necessary that two persons at least <presumably representing the old senior and junior inceptors in Arts> should take out their regencies, the oaths for which are administered by the Senior Proctor. All others date their regency from the day on which they might, if present, have taken them. . . . The last day of term follows shortly after the Act. With the dissolving of Convocation and of Congregation the academical year expires. The Act fees . . . are handed over to the Proctors by the Bedels.'¹

Modern Procedure

The Encaenia is the most elaborate of all modern University ceremonies, and is limited to-day to a meeting of

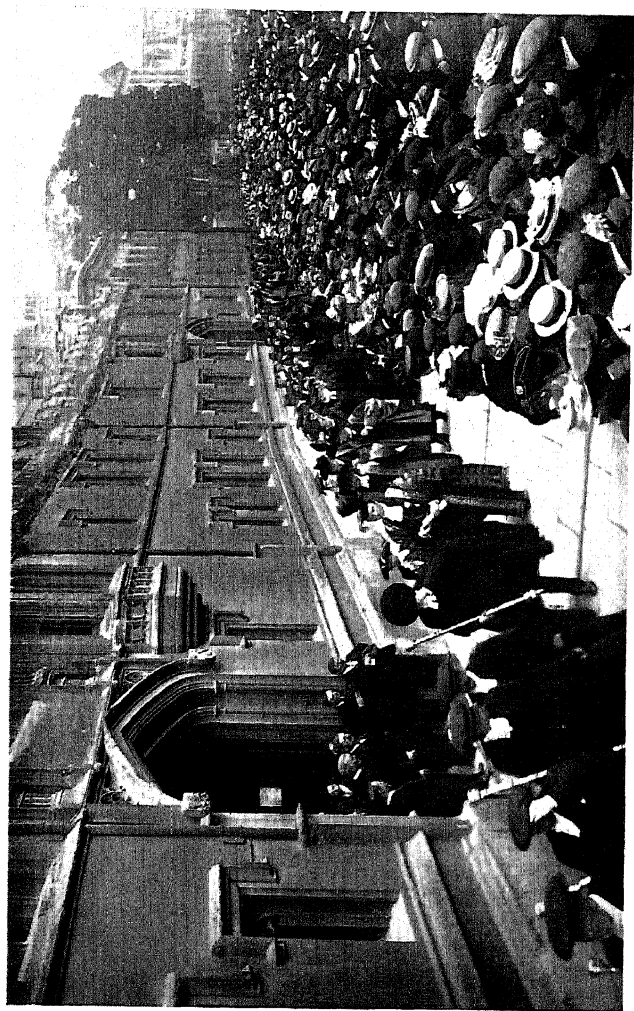
¹ Proctor's book (J.P. 1830) with additions in a later hand.

Convocation in the Sheldonian. All members of the University wear full academical dress, the doctors—including honorary doctors—being in their robes. Doctors sit in the semicircle, Heads of Houses not being doctors immediately in front of the semicircle, Masters in the area, which for the occasion is practically filled with seats. The lower gallery and other galleries are allotted to strangers, but members of the University, other than doctors or masters, have a prescriptive right to seats in the upper gallery.

The Encaenia opens at 12 noon on the Wednesday in the ninth week from the beginning of Trinity full Term, and is essentially a day on which the University delights to welcome distinguished guests and to present honorary degrees. Half an hour before the time of opening, the 'Noblemen—so runs the traditional formula, though the status is now in practice obsolete in its technical University sense—Heads of Houses, Doctors, Proctors, and gentlemen who partake of Lord Crewe's benefaction'¹ meet the Chancellor (or Vice-Chancellor, if the Chancellor is unable to be present) in the hall of the Vice-Chancellor's college. They then partake of a collation which traditionally includes peaches and champagne. A procession is then formed. At the head of the escort walks the University Marshal, carrying a silver wand, followed by six bedels, two extra being enrolled for the occasion. The head of the procession is taken by the Chancellor, in full robes, with a scholar² in evening dress as train-bearer. He is followed by the Vice-Chancellor. Next come the doctors, in order of their Faculties, Theology, Medicine, Law, and Music, if members of Convocation, then the Proctors, unless they have waived their precedence, and behind them the Heads of Houses who are not doctors. They are followed by the new honorary doctors wearing their robes, in the order of Faculties. In the rear of the procession are the Public Orator

¹ It has long been a custom for honorary doctors also, to partake of the benefaction and to join in the procession.

² Lord Grey's was a Commoner, his nephew; and Lord Halifax's, a Commoner, his son.



A UNIVERSITY PROCESSION, 1907

and the University Registrar, the latter being the officer responsible for marshalling the procession.

The procession enters the Bodleian quadrangle by the great gate of the Schools, opposite Hertford College, which is only opened on ceremonial occasions. It goes through the Proscholium into the Divinity School, the honorands remaining in the Divinity School while the rest of the procession passes on, entering the Theatre by the south door. Meanwhile, according to custom, an organ recital is being given. At the entry of the Chancellor the whole audience rise to their feet, and a solemn march is played, and, when all are in their places, the National Anthem.

It was formerly the custom for undergraduates to indulge in much rowdyism¹ at the Encaenia, and the organist came prepared to play, not Handel, Bach, or Purcell as to-day, but the latest popular ditties such as 'Daddy wouldn't buy me a bow-wow'. Distinguished strangers were greeted with disconcerting and often highly ribald remarks, and there was an organized licence, which seems to have descended directly from the *Terrae Filius* of the old Act. To-day all this has disappeared; comparatively few men undergraduates attend, and the proceedings are carried out without any unseemly interruptions.

Immediately after the National Anthem, the House being seated as for an ordinary Convocation, the Chancellor touches his cap (he never removes it except in greeting the honorands, but touches it with his forefinger) and says, 'The purpose of this Convocation is that according to the foundation of the most Honourable and Reverend Nathaniel, Lord Crewe, Bishop of Durham, thankful commemoration be made of pious benefactors and founders; that, if it shall please you honorary degrees in . . . be conferred on most eminent men; that various exercises which have received the prizes of the

¹ In June 1843 a student of Civil Law was banished for five years for grievously violating the peace of the University in the Sheldonian Theatre. Two other junior members of the University were also banished for three years. [Bodl.] Oxon. c. 59, f. 88.

Chancellor and of others be publicly recited; and that other business of this Venerable House be transacted'. *Causa huius Convocationis est ut iuxta institutionem Honoratissimi et Reverendi admodum Nathaniel, Baronis Crewe, Episcopi Dunelmensis, grata celebretur piorum Benefactorum et Fundatorum Commemoratio; ut, si vobis placuerit, gradus in . . . in Viros Illustrissimos conferantur honoris causa; ut exercitationes variæ Domini Cancellarii aliorumque præmiis donatæ publice coram vobis recitentur; necnon ut alia peragantur, quæ ad Venerabilem hanc Domum spectant.*

The Chancellor then puts the degrees to the vote one by one, touching his cap to the House, to the Doctors, and to the Masters, the Proctors raising their caps when the Chancellor touches his. The formula used is that normally employed in Convocation: 'Does it please the Venerable Convocation that the Degree of Doctor in . . . be conferred on . . . *honoris causa?* Does it please you, Doctors? Does it please you, Masters?' *Placetne Venerabili Convocationi ut in Virum . . . gradus Doctoris in . . . conferatur honoris causa? Placetne vobis, Domini Doctores? Placetne vobis, Magistri?*¹

The bedels are then sent—*Ite bedelli*—to fetch the new doctors, who meanwhile have been signing their names in the Divinity School. They enter in procession with the Presenter, the Public Orator. They take up their places on the floor of the House directly opposite the Chancellor, and chairs are put in the gangway for those who are awaiting their turn.

Each doctor is admitted separately with a somewhat complicated procedure. The Public Orator takes his right hand, the honorand standing on the Orator's right. The Orator then makes a Latin presentation speech, bowing to the Chancellor at the beginning and end of his speech. The Chancellor touches his cap, acknowledging the bow. At the end of the presentation speech the honorand steps forward

¹ Probably a non-placet has never been given, but such a contingency is anticipated in the *Bedel's Book*, 2. Under Commemoration Day is a note, 'If a Non placet should be made to any honorary degree proposed Paper, Pens and Ink must be obtained'.

a few paces towards the bottom of the steps. The Chancellor removes his cap, the Proctors doing likewise, and makes a very brief speech of welcome.¹ At the end of this speech the new doctor ascends the steps and the Chancellor shakes him by the hand and resumes his cap. According to custom the first doctor admitted is shown into a seat on the right-hand side of the Chancellor by the Senior Proctor, the second on the left by the Junior Proctor, and so on alternately.

After the last doctor has been admitted, the Chancellor seated touches his cap to the rostrum on his left, that is over the east door, as a sign to the Public Orator, or the Professor of Poetry, according to whose turn it is to deliver the Creweian Oration. This is recited in Latin, and summarizes the events of the academic year, and is delivered by these officials alternately in succeeding years. The Chancellor thereupon touches his cap in turn to the rostrum on the right and on the left, and extracts are then recited from the following prize compositions: Stanhope Essay, Latin Prose, Gladstone Essay, Latin Verse, English Essay, Newdigate Poem. These are read, usually by the Prize winners themselves, occasionally by deputy, from the rostra on either side alternately. At the end of the Newdigate Poem the Chancellor and Proctors rise and the Chancellor touches his cap and says 'We dissolve this Convocation'. *Dissolvimus hanc Convocationem*. He then leaves his seat and is conducted by the bedels from the Theatre, but there is no procession, the doctors following the Chancellor as best they can. This ceremony is the only public event on the day of the Encaenia, but full academical dress—robes for doctors, gowns and hoods for other degrees—is worn at the formal luncheon and garden parties which are usually held and to which the guests of the University are invited. On these occasions the Chancellor wears the robes of his degree, not the Chancellor's robes.

¹ A recent innovation, see p. 89.

UNIVERSITY SERMONS AND SERVICES

THE University has always expressed its faith in the efficacy of sermons, and was privileged to produce in the fifteenth century a preacher, John Felton, whose exhortations were so well received that he became famous throughout England as Homiliarius—The Preacher.¹ Leland says of him that 'the mark towards which he earnestly pressed with eye and mind was none other than that by his continual exhortations he might lead the dwellers on the Isis from the filth of their vices to the purity of virtue'.² It was doubtless some such aim as this which led the University to legislate from the beginning for an adequate supply of sermons to its members. In the earliest recension of its statutes, made in the first half of the fourteenth century, it was enacted that a sermon should be preached at St. Mary's, or elsewhere, on every Sunday in term by a Doctor or Bachelor of Divinity. Two secular Bachelors of Divinity (*collatores*) and the Chancellor³ appointed the preachers, who received forty days' notice of the date of their sermon. Any preacher who, after having been notified, evaded the duty was punished by deprivation of University benefits for a whole year. This statute was re-enacted in 1431 and in some respects strengthened. The preachers were to have two months' notice, special graces were required for dispensation, and heavy fines imposed for non-compliance. But the new ordinance was carried still further in the following year.⁴ The statutes required that

¹ Also known as Concionator. He was a fellow of Magdalen and Vicar of St. Mary Magdalen. Several MSS. of his sermons are extant, one being in the Bodleian (MS. Lat. th. e. 7).

² D.N.B. from *De scriptoribus Britannicis* (ed. Hall, i. 402).

³ It may be noticed that the Proctors never had any share in the appointment of University preachers, this being a matter which concerned the Faculty of Theology, of which the Chancellor was almost invariably a member. Naturally, later the power of appointment passed to the Vice-Chancellor.

⁴ One *collator* was chosen from the northern, the other from the southern 'nation'. They were appointed yearly. (*Statuta antiqua*, 52-3, 237; *Mun. Acad.* 749.)

Doctors of Divinity should preach on the first Sunday in Advent and at Septuagesima, and that every bachelor should deliver a sermon as part of his academic exercises. In order that these oral aids to the spiritual life should not be lost the University decided that they should in future be committed to writing and preserved in the University Library.¹ Twenty-six years later the University even undertook the cataloguing of the bachelors' sermons and granted a sum from the Chest of Five Keys for the purpose.² Notwithstanding all this well-directed exhortation to virtue the University in 1444 was involved in such desperate riots and misgovernance that it attracted the attention of Henry VI, who ordered the Chancellor to see that the peace was better kept and that the Latin sermons which had been 'gretly discontynued to the gret hurt and disworship' of the University were re-established. Even if 'vertu and cunning' were not increased thereby the recommendation well illustrates the pious optimism of the royal writer.³

Members of the University also frequently preached at St. Paul's Cross, which was until the reign of Elizabeth the national pulpit,⁴ but these sermons received no official recognition until 1478,⁵ from which time Oxford preachers officiating at the Cross were required to mention certain benefactors to the University.⁶ Benefactors had been commemorated in University sermons some years previously,

¹ *Statuta antiqua*, 244. See also cx, cxi.

² *Mun. Acad.* 751. See also Boase, *Reg.* i. 18. In Reg. F (263-5) are a few lists of sermons to be preached (1509-14) with the preachers' names, which seem in some cases to be autographs.

³ *Ibid.*, 540-1. For various styles of preaching see Wood's *Annals*, i. 178-81. It is worth noting that the preaching of other persons' sermons was well established in the thirteenth century, and that prelates were not above borrowing the lucubrations of their juniors. See also ffoulkes, *Hist. of the Church of S. Mary*, 140 sqq.; Little and Pelster, *Oxford Theology and Theologians*, c. A.D. 1282-1302; Owst, *Preaching in Medieval England*, 149-55, 259-62.

⁴ Milman, *Annals of St. Paul's* (2nd ed. 1869), 38, 61.

⁵ *Statuta antiqua*, 289. One of the first to be so commemorated was Thomas Kempe, Bishop of London, the restorer of the Cross.

⁶ Also preachers at the Hospital of St. Mary's outside Bishopsgate (*Statuta antiqua*, 262, 290, 295, 310, 335, 374).

Humphrey, Duke of Gloucester, being the first to be so honoured.¹

The first post-Reformation ordinance respecting sermons is contained in the statute imposed by the Commissioners of Edward VI in 1549, which provided that on alternate Sundays in term sermons should be preached in the University Church, two in English and one in Latin, by Doctors and Bachelors of Theology in a prearranged order.² The statutes of 1564/5³ provided that English sermons should be preached every Sunday in full term at St. Mary's or Christ Church (in Lent at St. Peter's-in-the-East),⁴ and a Latin sermon⁵ on Ash Wednesday⁶ and at the beginning of every term. The preachers were to be Heads of Houses, the Dean and Canons of Christ Church,⁷ the two Professors of Divinity, and the Hebrew lecturer. A few years later provision was made for morning sermons in Lent and afternoon sermons throughout the year, and for morning sermons in vacation and on saints' days.⁸ The Laudian Code made similar provision, and also

¹ *Statuta antiqua*, 261.

² *Ibid.*, 354.

³ *Ibid.*, 382-3, 396 (cf. 417-19). These statutes were the result of an attempt to clarify existing procedure, rather than to introduce new ordinances.

⁴ When St. Mary's was reconditioned in 1827-8 these sermons were transferred there. (*Corpus Stat. Add.* 237, Cox, *Recollections*, 121-2.)

⁵ The Laudian Code added a Latin sermon on the Tuesday following the Act (ed. Griffiths, 75).

⁶ At the beginning of the last century these were 'attended almost exclusively by the "Determiners", who wore their hoods and a lamb's-wool tippet or collar, and were addressed by the preacher throughout the sermon as "florentissimi Baccalaurei". This sermon and the chanting of the Latin Litany in St. Mary's chancel at 8.30 a.m. every Saturday morning during Lent, were, of course, dropped when the so-called "Determining" ceased in 1822. The attendance of Determiners at the Latin Litany during Lent was enforced by a roll-call after the service, and a fine on the absentees, levied at the College butteries by a Yeoman Bedel' (Cox, *Recollections*, 242). The Latin Litany still survives (see p. 116).

⁷ The Dean and Canons were to preach at the Cathedral. The Laudian Code made this permissive.

⁸ *Statuta antiqua*, 417-19, 438, 442-3. All M.A.s in Orders whose names were on the books were called upon to take their turn with these sermons, which, at the beginning of the nineteenth century, were generally preached by hacks who undertook the duty for a consideration. This abuse was remedied in 1803 by appointing Select Preachers to take the unaccepted

enacted that as certain college statutes required sermons to be preached before the University, public sermons should be delivered at Christ Church, Magdalen, New College, and Merton.¹

In the Commonwealth period the Parliamentary Visitors with true Puritan zeal tried to insist that listeners should cultivate their memories. Accordingly every B.A. and undergraduate was required to give to a person of known ability and piety, some time between the hours of 6 and 9 in the evening, an account of the sermons he had heard on Sunday.²

In 1684 the moral value of sermons was again reaffirmed by the Rev. William Master, who 'knowing how odious the sins of Emulation, Wrath, Strife, Ostentation, and Vain Glory are in the eyes of the Almighty God, and also being very sensible how prone the nature of man is unto those sins, and how many occasions and temptations there are ministered thereunto in an academical life', bequeathed £5 a year for two sermons to be preached yearly at St. Mary's, later known as Pride and Humility Sermons. One curious condition was that the sermons should 'be preached upon such texts as the Preachers themselves should choose out of the Catalogue of Texts'.³ A similar benefaction was received under the will of the Rev. John Bampton, Prebendary of Sarum, who died in 1751, by which eight Divinity lecture sermons should be preached on as many Sunday mornings in term on a limited number of stated subjects.⁴ In 1847 a benefaction was received from Mrs. Ramsden for a sermon

turns. (Cox, *Recollections*, 54, 236-7; *Corpus Stutt. Add.* 150-1.) In 1901 preaching turns were abolished. For an amusing case where a turn-preacher refused to make way for a better-qualified man see Wood's *Life* (ed. Clark), ii. 47-8. To-day there is a Summoner of Preachers, but he has no executive power.

¹ *Laudian Code* (Griffiths), 24, 75, 156 sqq.

² Wood, *History*, ii. 653.

³ Univ. Arch. S.E.P.M. 12^d: [Bodl.] Bliss B 143. The sermons are preached on Quinquagesima Sunday and the last Sunday after Trinity (the Sunday before Advent). (See p. 110.)

⁴ One condition is that the sermons shall be printed, and that one copy shall be given to the Chancellor, one to the Head of every College, one to the Mayor of Oxford, and one to the Bodleian Library.

upon Church Extension on Whitsunday, and in 1848 another from Dr. Macbride for a sermon upon Messianic prophecies on the second Sunday in Hilary Term.

Not many of the religious observances of the early University now survive,¹ but the statutes still enjoin that term shall begin with a solemn service.² At the beginning of the last century it was customary to begin each term with the Communion Service, the Litany, and a sermon in Latin. The Communion Service was discontinued from 1832 to 1836; in the next year Dr. Gilbert, who was then Vice-Chancellor, restored it and himself officiated with the assistance of the Proctor who was not acting as chanter. From 1837 to 1887 the three services were held together, the Communion Service following the sermon. Since that time only the Communion Service is held at the beginning of each term.

With the exceptions already mentioned the University sermons were preached at St. Mary's. Relations between the University and the church were established at a very early period, but their history is obscure.³ Until the building by Bishop Cobham of the Congregation House and the Library adjoining St. Mary's in 1321, the University made use of the church as its sole meeting house and as the only place of safe custody for its chests of money, books, and archives.⁴ Sir T. G. Jackson in his history of St. Mary's writes:

'The connexion of the University with St. Mary's, however, is

¹ Cf. *Statt.*, tit. I, sect. II. 1, and *Statuta antiqua*, 54-5.

² The University Calendar still records the following saints' days not in the Calendar of the Book of Common Prayer: St. Scholastica (10 Feb.), St. Patrick (17 March), St. Cuthbert (20 March), Corpus Christi (31 May), St. Thomas à Becket (7 July), Assumption B.V.M. (15 Aug.), and St. Frideswide (19 Oct.).

³ The University obtained a royal grant to found a chantry there in 1275. See also *Oriel College Records*, by C. L. Shadwell and the Rev. H. E. Salter (Oxf. Hist. Soc.).

⁴ How far the Congregation House relieved St. Mary's of assemblies is uncertain: it is only a small building, about 50 by 23 ft. In the fifteenth century Convocations were regularly held in the Church, and the Act was held there until the Sheldonian was built in 1669. The Congregation of Artists (see p. 51) met at St. Mildred's Church until its destruction when Lincoln College was built (*Statuta antiqua*, 146, 156).

closer than that between any municipal corporation and the church which it is in the habit of attending. The old rights of the scholars over the University church, founded on custom or prescription rather than on any strict legal title, though they have never been exactly defined, and indeed perhaps defy definition, are never questioned. In return, the University has always taken upon itself the charge of repairing and maintaining the fabric, not always excepting the chancel, though that part belongs to Oriel College as rectors of the church. . . . In the stately procession of Vice-Chancellor and Proctors, with bedells and maces, the Doctors in scarlet and black velvet, which streams up the nave of St. Mary's, on Sundays and festivals . . . we see the sole survival of the many uses which the University once made of the building; the sole historical rite which speaks to us of the days when the Chancellor and scholars in their corporate character knew no other home than that afforded by the walls of the Church of St. Mary the Virgin.¹

There has apparently never been any official proposal for the erection of an independent University Church, but Ayliffe, writing at the beginning of the eighteenth century about the Clarendon Building, states that in his opinion that massive pile 'might as well have given way to the Convenience of a University-Church, which is much more wanted than a Printing-House, and yet never likely to be obtained, tho' we make so many Professions for the Church and the best of Religions'.²

Modern Procedure

University sermons are preached at St. Mary's every Sunday in full term at 10.30 a.m., on the anniversary of the King's Accession, and three times a year at the Assizes,³ when

¹ *The Church of St. Mary the Virgin*, 69. See also E. S. Foulkes's *History of the Church of St. Mary*.

² *Ancient and Present State of the University*, i, 477.

³ In the eighteenth century the procedure was, 'On the Assizes the night the Judges come to Town the Vice Chan: meet the heads of houses and the Proctors at the Chapel from whence attended by all the Bedells they wait upon the judges in the Morn: only the Vice Chan: with the Bedells go to fetch the judges to Sermon in their going to Church the Order is thus, first go the Bedells, then the judges Principal Officers, then the judges & Vice Chan: together' (*Bedel's Book*, 2).

the day and hour are fixed by the judge. Except for the first sermon in Hilary Term, sermons are in English, not Latin. On certain days University sermons are preached elsewhere: on Lady Day and Trinity Sunday at New College; on St. Mark's Day and St. John Baptist's Day at Magdalen; and on Good Friday, Ascension Day, and Christmas Day in the Cathedral, when the sermon, except on Ascension Day, is usually preached by the Dean of Christ Church.¹

The rules for dress at University services are rather complicated. Ordinarily doctors wear gowns, habits, and hoods, but on Quinquagesima (Humility Sermon) and in Lent they wear the black gown and scarf, but no hood or habit. This dress is also worn at Assize sermons, unless the Judge elects to attend a Sunday sermon, when doctors observe the practice for that particular day. There are, however, certain days in the calendar marked with a star when doctors wear their robes: these days are the King's Accession, the feast of the Circumcision, Epiphany, the feast of the Purification, the Annunciation, Easter Day, Ascension Day, Whitsun Day, Trinity Sunday, All Saints' Day, and Christmas Day.

The Proctors always wear gowns and usually hoods, but the latter are not worn on Quinquagesima, in Lent, at the Assize sermons (unless held on a Sunday), or at Magdalen College.

Heads of Houses taking part in the procession, and not being doctors,² wear the gown and hood of their degree with the same exception as for the Proctors, but the President of Magdalen wears his hood when the sermon is preached at his

¹ The *Bedel's Book* (2) gives: 'The days when the University go to Private Colleges to Sermon:

Ch.Ch.	{ Nativity at 11 o'clock Passion Ascension	Magd. C.	{ St. Mary Magd. St. Mark St. Jo ⁿ Bapt.
Mert. C.	{ St. Phillip & Jacob. No habit 1st Sunday in Aug st	New Coll.	{ Lady Day Trin. Sunday

Univ. C. St. Simon and Jude at St. Peters

If St. Simon and Jude or St. Jⁿ Baptist fall on a Sunday the habit is not worn, being College Turns, viz. 1781, 1787, 1792, 1798.' The sermons ceased to be preached at Merton in 1893.

² See p. 112.

college. Masters and other members of the University who do not take part in the procession wear the gown of their degree on all occasions.

Caps are carried by all members of the University, but are not worn except during the open-air service at Magdalen, when the Vice-Chancellor and the Proctors cover during the sermon.

The preacher does not wear a surplice. If he is a bishop and an Oxford doctor he wears his Convocation robes, a cassock, bands, black gown, habit, hood, and scarf; others wear a cassock, bands, gown, and hood. Although it is not customary for members of other Universities to wear their academical robes within the precincts of the University, it is nevertheless an established custom for members of the University of Cambridge to wear their own robes when preaching the University sermon at Oxford.

It has already been mentioned that St. Mary's is only by courtesy the University church,¹ but the University enjoys certain privileges respecting it. The bell is tolled for University meetings by a University servant, the Verger or his deputy. University officers and dignitaries have seats reserved for them, and alterations in the seating accommodation of the nave can only be made with the consent of the University authorities.²

The procedure at St. Mary's and in college chapels naturally differs. When the sermon is preached at the University church, the bedel of Divinity escorts the preacher from his lodgings to the University Church.³ Here the

¹ An early reference to it as the University church is found in a document, dated 1 March 1521/2, in the Durham Chapter Muniments: '*in sacra eade dive Marie que ecclesia Universitatis dicitur et nominatur.*'

² The pall made for the obit of Henry VII (d. 1509), which was once kept at St. Mary's, is now exhibited in the Ashmolean Museum. In the Univ. Archives (N.W. 20.2) there are inventories of goods at St. Mary's in the custody of the Clerk to the University dated 1637, 1645, 1651. The inventories are chiefly of cushions.

³ This chapel belonged to Oriel College until 1899 when by agreement the University became responsible for the repair of the fabric, the College retaining its rights over the tomb of Adam de Brome only.

Vice-Chancellor, the doctors, and the Proctors assemble in the chancel.¹

Masters and other members of the University take their seats in the nave. At the appointed time the bedels enter the chapel, and a procession is formed. The Vice-Chancellor leads, with the preacher on his right, followed by the doctors in order of seniority and by the Proctors. On reaching the crossing the Vice-Chancellor bows to the preacher, who is escorted to the pulpit by the bedel of Divinity, and then, escorted by the other bedels and followed by the rest of the procession, the Vice-Chancellor proceeds to his place. The Proctors sit in stalls in front of, but a little to the side of, the Vice-Chancellor's stall: the doctors sit in stalls on either side.

After an interval for private prayer a hymn is sung, the choir being placed in the organ loft. The preacher then reads the Bidding Prayer,² when all stand.

Ye shall pray for Christ's Holy Catholic Church, that is, for the whole congregation of Christian people dispersed throughout the whole world, and especially for the Church of England; and herein for the King's Most Excellent Majesty, our Sovereign Lord George, of Great Britain, Ireland, and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, over all persons, in all causes, as well ecclesiastical as temporal, throughout his dominions supreme; also for our gracious Queen Mary, Edward Prince of Wales, and all the Royal Family. Ye shall also pray for the ministers of God's holy word and sacraments, as

¹ Formerly Heads of Houses who were not doctors assembled in Adam de Brome's Chapel. During recent years Heads who are M.A.s sit in stalls in front of those assigned to the Doctors.

² *Laudian Code*, 160, with additions in the *Statuta*. The bidding prayer is a form of prayer for benefactors offered by a preacher immediately before the sermon. In the University it doubtless had its origin in the chaplain making a circuit of the schools once a year and reciting the names of benefactors (*Statuta antiqua*, 98, a statute of 1306). The present form of the prayer seems to date only from the sixteenth century (*ibid.* 262). Instead of the direction 'Ye shall pray', the words 'We are to pray' or 'Let us pray' are often used. Cf. *Statuta antiqua*, 239, 253, 261-2; Mullinger, J. B., *Univ. of Cambridge*, ii. 628-31; Stokes, H. P., *Ceremonies of the Univ. of Cambridge*, 54-5; Coxe, H. O., *Forms of Bidding Prayer*, 1840.

well Archbishops and Bishops, as other pastors and curates; for the King's most honourable Council; for the High Court of Parliament; and for all the nobility and magistrates of this realm: that all and every of these, in their several callings, may serve truly and diligently to the glory of God and the edifying and well governing of his people, remembering the account that they must make, when they shall stand at the judgement seat of Christ. Also ye shall pray for the whole commons of the Realm, that they may live in true faith and fear of God, in dutiful obedience to the King, and in brotherly charity one to another. And, that there may never be wanting a succession of persons duly qualified for the service of God in church and state, ye shall implore his blessing on all places of religious and useful learning, particularly on our Universities; and here in Oxford for the right honourable Viscount Halifax our Chancellor, for the reverend the Vice-Chancellor, for the Doctors, the Proctors, and all Heads of Colleges and Halls with their respective societies; more particularly am I bound to pray for the good estate of*

: that here, and in all places specially set apart for God's honour and service, true religion and sound learning may for ever flourish.

*The preacher should here mention his own College or Hall in the form peculiar to it.

To these your prayers ye shall add unfeigned praises for mercies already received; for our creation, preservation, and all the blessings of this life; particularly for the advantages afforded in this place by the munificence of benefactors, such as were Thomas Cobham Bishop of Worcester, Henry Beaufort Cardinal and Bishop of Winchester, the most illustrious Prince Humphrey Duke of Gloucester, John Kempe Cardinal and Archbishop of Canterbury, Thomas Kempe Bishop of London, Margaret Countess of Richmond, King Henry the Seventh and Elizabeth his wife, Richard Lichfield Archdeacon of Middlesex, Thomas Wolsey Cardinal and Archbishop of York, King Henry the Eighth, Queen Mary, Queen Elizabeth, King James the First, Sir Thomas Bodley, Sir Henry Savile, Sir William Sedley, Sir Nicholas Kempe, Thomas White Doctor of Divinity, Mr. William Camden, Mr. Richard Tomlins, William Heather Doctor of Music, William third Earl of Pembroke, John Lord Craven of Ryton, King Charles the First, Edward Earl of Clarendon, William Laud and Gilbert

Sheldon Archbishops of Canterbury, Henry Earl of Danby, Elias Ashmole Doctor of Medicine, Mr. Henry Birkhead, King George the First, John Radcliffe Doctor of Medicine, Nathaniel Lord Crewe Bishop of Durham, William Sherard Doctor of Civil Law, Richard Rawlinson Doctor of Civil Law, Mr. Charles Viner, George Henry third Earl of Litchfield Doctor of Civil Law, the Reverend Charles Godwyn, the Reverend John Bampton, Francis second Lord Godolphin Doctor of Civil Law, John Sibthorp Doctor of Medicine, George Aldrich Doctor of Medicine, John Wills Doctor of Divinity, Mr. Richard Gough, King George the Third, Colonel Joseph Boden, Mrs. Anne Kennicott, Mr. Francis Douce, Sir Robert Taylor, Robert Mason Doctor of Divinity, John Ireland Doctor of Divinity and Dean of Westminster, John second Earl of Eldon Doctor of Civil Law, Mr. Chambers Hall, the Reverend Frederick William Hope Doctor of Civil Law and Ellen his wife, the Reverend John Hall, the Reverend Henry Houghton, Mr. Felix Slade, Mr. John Henry Parker, Mrs. Martha Combe, Mrs. Charlotte Sutherland, William fourth Earl of Ilchester, John Ruskin Doctor of Civil Law, Joseph Bosworth Doctor of Divinity, Major-General Augustus Henry Lane Fox Pitt-Rivers Doctor of Civil Law, Charles Drury Edward Fortnum Doctor of Civil Law, Miss Rebecca Flower Squire, Cecil John Rhodes Doctor of Civil Law, Mr. Alfred Beit, Mr. Charles James Oldham, Charles Theodore Williams Doctor of Medicine, Mr. Christopher Welch, Thomas second Earl Brassey Doctor of Civil Law, and Walter Morrison Doctor of Civil Law, eminent benefactors to this University; in addition to whom I am bound to mention†

†The preacher should here insert the names appropriate to his own society.

But, above all, ye are bound to bless Almighty God for his inestimable love in the redemption of the world by our Lord Jesus Christ; for the means of grace, and for the hope of glory. Finally ye shall praise God for all those who are departed out of this life in the faith of Christ, and pray that we may have grace to direct our lives after their good example; that, this life ended, we may be made partakers with them of the glorious resurrection in the life everlasting; through Jesus Christ our blessed Lord and Saviour.

Our Father, which art in heaven, Hallowed be thy Name. Thy

Kingdom come. Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive them that trespass against us. And lead us not into temptation; But deliver us from evil: For thine is the kingdom, the power, and the glory, For ever and ever. Amen.

On the first day of full Term and on the Sunday before the Encaenia the prayer includes the full list of benefactors beginning with Thomas Cobham, Bishop of Worcester, and ending (at present) with Walter Morrison, Doctor of Civil Law.¹ On other days the preacher records the founders of his own college, or colleges, and the members on the foundation. The service ends with the benediction. Afterwards a procession is formed, but at the east end of the nave it disperses, the various members leaving either by the south or north door.

When the University sermon is preached in the Cathedral the procession assembles in the south transept and enters the chancel by the nave. The Vice-Chancellor occupies the sub-dean's stall on the north side of the chancel, the doctors sitting next to him with the Proctors on their left.² The canons sit in their stalls on the south side. The service is that of a cathedral and is therefore more elaborate in character than a University service.

At New College the procession assembles in the Warden's lodgings, where it is given refreshment in the entrance hall.³ The Warden and the Vice-Chancellor lead the procession, followed by the preacher, the doctors, and the Proctors. The procession passes through the ante-chapel at the entrance to which the Warden and Vice-Chancellor turn inwards and bow to each other and to the preacher: they then proceed to their stalls, the Warden to the south, the Vice-Chancellor to the north side. The preacher is escorted to a stall on the north side at the east end of the second tier of stalls. The doctors sit in stalls beside the Vice-Chancellor and the

¹ *Stat.*, tit. xvi, sect. 6.

² The Proctors' manuals wrongly reverse the order.

³ There is a tradition among the University servants that this included mutton and turnips. Ceremonial refreshment in the seventeenth century generally consisted of wine, cakes, figs, almonds, and raisins.

Warden, the Proctors sitting one at each end of the stalls, the senior on the south, the junior on the north. The bedels sit below the Vice-Chancellor, and the marshal and cloakmen are also allotted special seats. The service is similar to that at St. Mary's, except that the sermon is followed by an anthem.

At Magdalen College, when the service is held in the chapel, the Vice-Chancellor, doctors, and Proctors sit in stalls on the north side, the Proctors occupying the most easterly stalls, in line with the doctors. On St. John's Day the service is held in the front quadrangle and the sermon is preached from the open-air pulpit, the President, Vice-Chancellor, and Proctors occupying central seats in a row of chairs. Here, as at New College, the University dignitaries and the preacher are welcomed by the Head of the College at his lodgings.

Occasionally the University officially attends services, such as memorial or funeral services, elsewhere. In a college chapel the Vice-Chancellor sits in the stall corresponding to that of the Head of the House, but on the north side, with the Proctors next to him. At City churches the University procession sits in the front pews on the north side, the City occupying the south. The procession leaves in the order in which it entered, but disperses either in the ante-chapel or at the church door. If the Corporation attends, the University leaves first.

The Latin Litany is sung once a year on the first Sunday of Hilary Term, preceding the sermon, which on that day is also in Latin. It is a beautiful piece of Elizabethan music, but owing to its difficulty it is usually sung by an experienced chanter. According to ancient usage and continued by statute, however, the Proctors, whether cleric or lay, may either read or chant the Litany from the beginning to the second *Oremus*, which introduces the prayer *Infirmities nostras*. At this point the Vice-Chancellor used to take it up, either chanting or reading. In recent years the Vice-Chancellor has taken no part in the service, and usually the chanter, who is appointed by the Senior Proctor as his deputy, has taken the whole

Litany. In 1918 the then Senior Proctor, who was in orders, chanted the whole Litany.¹

The Latin Communion now takes place on the Thursday before full term in St. Mary's. If they are clergy, the Vice-Chancellor and the Proctors take part in officiating; if laymen they are represented, the Senior Proctor being responsible for finding a deputy to serve for him at the beginning of Trinity and Hilary Terms, the Junior Proctor at the beginning of Michaelmas Term. If these three officers are laymen, they wear surplices and hoods, other members of the University attending wear gowns, but no hoods. The Vice-Chancellor, unless he is officiating, sits in a stall on the south side, nearest the altar; the Senior Proctor sits next, the Junior Proctor occupying the most easterly stall on the north side. The Proctors collect the alms. The Vice-Chancellor communicates first; the congregation do not move from their seats, the clergy carrying round the paten and the cup.² Apart from the use of the Latin tongue, the service is that of the Anglican Prayer Book of 1662.

¹ For the Latin services there is a Latin form of the Bidding Prayer.

² The University has its own Church plate. In 1601/2 the University bought two silver-gilt chalices and two patens for £20 19s. 9d., and in 1631/2 two silver flagons for the Communion table for £28 10s. 4d. (*V.C. Computus*).

In the parish book of St. Mary's is the following note under the year 1740, 'The University have the use of the two silver Flagons at their sacraments in St. Mary's Church, but not any other of the Parish Plate' (Transcript in Univ. Arch. N.W. 20.2).

JUSTICE AND DISCIPLINE

THE Vice-Chancellor is invested with important judicial functions and presides over his own Court. In earlier times, when the Chancellor was the chief executive officer of the University, it was known as 'the Chancellor's Court (*Curia Cancellarii*)'.¹ The Chancellor's duties, however, especially from the fifteenth century, were more usually performed by his Commissary, called later the Vice-Chancellor, or by the Chancellor's official.² In the Laudian Code the Court is styled '*Curia Commissarii sive Vice-Cancellarii Universitatis*':³ to-day the 'Chancellor's Court' is the official and the 'Vice-Chancellor's Court' the common designation.

The registers of the Chancellor's Court are preserved in the University Archives. The earliest, which records the acts of the Chancellor himself rather than the proceedings of a court, gives many glimpses of the everyday life of fifteenth-century Oxford, for example—the Warden of Canterbury

¹ The Chancellor's Court was formally created a Court of Record with its seal by the Great Charter of Charles I (1636). The records of the Chancellor's Court are preserved in the University Archives (Poole, *Archives of the University*, 101 sqq.). The normal routine by the end of the sixteenth century was as follows: 'The court met in St. Mary's every Friday; if the Commissary was a lawyer he himself might preside, but it was most unusual, and he had a permanent deputy, known as the official, a lawyer who might hold the post for life and made a living by the fees. In the register of the court the names of the litigants are written on the left-hand margin of the page, and the record gives a line or two about each case, mentioning the proctors who appeared for the parties and recording to what stage the proceedings were carried; for cases in those days were not generally settled in one sitting, as with us, but progressed from week to week, and in the Chancellor's court might take anything from four to ten weeks for completion. About a dozen cases would be heard at a sitting, and each would be advanced a stage.' (Salter, *Reg. Canc. Oxon.* i. viii, ix.)

² '*Officialis* or *ebdomadarius*—a trained lawyer who did most of the work of the court, sitting in St. Mary's once a week and keeping a register of his proceedings' (ibid. x, xxi).

³ *Laudian Code* (ed. Griffiths, 1888), 200. There is a good account of the procedure of the Chancellor's Court as laid down in the Laudian Code in Ayliffe's *Ancient and Present State of the University*, ii. 312 sqq. See also Rashdall, *Universities*, II. ii. 785 sqq.; *Curia Oxoniensis; or, Observations on the statutes which relate to the Vice-Chancellor's Court, and the power of searching houses*, 2nd ed. [By John Walker.] 1822.

College encourages his servants to rob scholars forcibly of their beer; Thomas Benwell, Master of University, and Agnes Babelake clear themselves of a charge of incontinence; two scholars give and receive desperately hard knocks at Sword and Buckler; a sporting townsman hunts one of the Proctors with bow and arrows; Thomas Bysschoppe publicly asserts that he is not a Scotsman; a schoolmaster, about to receive sentence of suspension or excommunication, mobilizes his scholars and exhorts them to snatch the legal document from the priest's hands; the Vicar of St. Giles has to surrender his cudgel; the organist of All Souls is convicted, very penitent and tearful, of adultery; a horse is valued and certified to be sound in eye, wind, and limb; a scholar insults his tailor; the proper way to brew beer is indicated; the Commissary records the pedigree of a piebald horse; the University registrar is accused of gluing an old seal to a new document; indignant cooks appeal against a defaulting subscriber to their bean-feast; parties to a quarrel have to promise to cease squabbling and making faces at each other, and to dine together in amity off roast goose; the offending party in a case of assault and battery has to ask pardon and pay the doctor's bill; the Mayor of Oxford seeks protection from the violence of John Danett, gentleman; and Agnes Petypace is told not to beat her servant more than is proper. In addition there are cases concerned with scolds, prostitutes, gamblers, and tennis players; and with kidnapping, abduction, carrying arms, trespass in pursuit of game, forcible entry with intent to murder, and other like crimes and misdemeanours.

In the earliest code of University statutes we find that some of the Chancellor's judicial duties were administered by deputy judges called *hebdomadarii* who were Bachelors of Canon and Civil Law nominated by the doctors of those faculties and elected by the Chancellor and Proctors. They met every week and were competent to try cases except those concerning regents who had the right to have their cases brought before the Chancellor or his Commissary.¹

¹ *Statuta antiqua*, lxxviii.

At first the Chancellor exercised his judicial functions merely as the official of the Bishop of Lincoln.¹ He was soon invested, however, with powers derived from royal authority. In 1244 the King granted that in causes of clerks arising from loans, taxation or hiring of houses, the hiring and buying of horses, likewise the purchase of clothing or victuals or of other contracts made of movable things, the King's prohibition should not run, but that such causes should be decided before the Chancellor.² Seventeen years later an inquisition was held and it was returned that jurisdiction belonged to the Chancellor in all manner of contracts, disputes and bargains between scholars and Jews 'exceptis hiis que ad coronam domini regis pertinent et ad placitum terre'.³ Side by side with these privileges granted by royal and ecclesiastical authority there quickly grew up others based on custom and long usage. In less than seventy years from the time he was set over the scholars by the Bishop of Lincoln, the Chancellor is found claiming certain rights which had been exercised by the University, 'a tempore quo non exstat memoria'.⁴ The privileges in question were that a scholar might summon his adversary before the Chancellor; that the Chancellor and Proctors had the probate of wills of scholars dying in the University;⁵ that the University might hold inquisitions 'de excessibus magistrorum et scholarium'; and that masters and scholars should not be cited in other courts 'pro contractibus initis infra universitatem vel extra'. The judicial functions of the Chancellor, which naturally brought the University

¹ Salter, *Med. Arch.* i. 3.

² P.R. 28 H. 3, m. 6; *Cal. Pat. Rolls Henry III*, iii. 424; Ayliffe, ii, p. vi.

³ Salter, *Snape's Formulary*, 283.

⁴ 'Constitutiones discusse in presencia Oliveri, Episcopi Lincoln.' (1280.) *Statuta antiqua*, lxxi. 96-7.

⁵ The right of the Chancellor to grant probate of wills of scholars and privileged persons existed until 1858 when the Court of Probate was established, but the University was permitted to retain its testamentary documents by 23 & 24 Vict. c. 91. Very few wills were proved in the Chancellor's Court after the eighteenth century (Griffiths, *Index to Wills*, 1862); *Enactments in Parliament*, i. 162, iii. 312. For examples of early wills proved in the Chancellor's Court see Salter, *Reg. Canc. Oxon.*, *passim*.

into constant conflict with the town, were first strictly defined in 1290 in an agreement between the two bodies, made in the presence of the King and Parliament.¹ There it was decided that the Chancellor should have cognizance of all offences committed in the town, manslaughter² and maim³ excepted,⁴ where one party was a clerk and that those who could claim the privilege of the University were clerks, their families and servants, parchment sellers, illuminators, scribes, barbers, and other of the service and livery of clerks.⁵ In 1390 a charter⁶ was granted to the University confirming the Chancellor's privilege with regard to all personal pleas within and without the walls of Oxford in which one party was a scholar or a privileged person, and specially empowering the Chancellor and his successors to proceed 'secundum eorum leges et consuetudines vel per legem regni'.⁷ But, as

¹ *Mun. Acad.* 46 sqq.; Salter, *Med. Arch.* i. 90, 92.

² *De morte hominis* (*Med. Arch.* i. 72, 90, 163) or *de homicidio* (*Mun. Acad.* 79), sometimes *felonia* is substituted (*Med. Arch.* i. 221, 229, 257).

³ *De mahemio* (*Med. Arch.* i. 90 &c.) or *de mutilatione* (*ibid.* 72).

⁴ Pleas concerning freehold (*de libero tenemento*) were also excepted from 1356 (*ibid.* 163, 229, 271; *Mun. Acad.* 79).

⁵ In 1459 it was agreed with the town that only the following were *personae privilegiatae*: the Chancellor, all doctors, masters and other graduates, students, scholars, clerks, their daily regular servants and others of their livery, the Steward and feed men with their subordinates, bedels with their servants and households, stationers, bookbinders, illuminators, scribes, parchment-sellers, barbers, the bell-ringer with their families, catours, manciples, spencers [butlers], cooks, launderers, poor children of scholars and clerks, and carriers employed by clerks within the precincts of the University (*Med. Arch.* i. 244-5; *Mun. Acad.* 346). In 1674, in the Court of Common Pleas it was held that the Chancellor had cognizance when one of the parties was a college, the expression *persona privilegiata* comprehending a Corporation. *Mod. Rep.* (1700), i. 163-5; Ayliffe, ii. 21-3.

⁶ *Med. Arch.* i. 222, cp. 271 (1523).

⁷ In 1406, in an action concerning debt (Term. Mich. 8 Hen. IV), a writ of error had been ordered to be returned because 'ubi quilibet ligeus Domini Regis regni sui Anglie in quibuscunque placitis et querelis infra regnum Anglie factis seu emergentibus de iure tractari debet per communem legem regni Anglie et in hoc quod placitum predictum tentum fuit et terminatum per legem civilem (sicut) per recordum predictum manifeste constat et non secundum legem regni Anglie est erratum Item in hoc quod per legem regni prohibetur ne quis vendat vel alteri donet querelam sive accionem suam ad prosequendam seu defendendam'

Blackstone observed,¹ 'the privileges granted . . . of proceeding in a course different from the law of the land, were of so high a nature, that they were held to be invalid; for though the king might erect new courts, yet he could not alter the course of law by his letters patent'. Therefore in the reign of Queen Elizabeth an Act of Parliament² was obtained confirming all the charters of the two Universities and that of Henry VIII by name.³ Although in 1712 (*Aldrich v. Stratford*) a decree in Chancery was determined in favour of the University Court being one of equity⁴ yet the contrary opinion is found. In the case of *Prat v. Taylor* (1674) the claim was refused,⁵ and in that of *Draper v. Crowther* (1684) it was held that the Chancellor's jurisdiction was limited 'to matters at Common Law only, or to Proceedings in Equity that arise in such cases, and not to meer Matters of Equity'.⁶ Finally, in 1854 it was enacted by Act of Parliament (17 & 18 Vict. c. 81, § xlv) that the court of the Vice-Chancellor should in all matters of law be governed by the Common and Statute Law of the realm, and not by the rules of the Civil Law.⁷

The limits of the Chancellor's jurisdiction were in 1336⁸

(P.R.O., K.B. 27/582, m. lxxii). This appears to be the earliest record of a case in the Chancellor's Court. It is printed *in extenso* in Salter, *Reg. Canc. Oxon.* ii. 345 sqq. The Court 'dealt with the ordinary matters of civil courts, but by ecclesiastical procedure and with the forms of canon law. The defendant was brought into court by citation, which was enforced by the threat of excommunication for contumacy, not by distraint of goods; the pleaders in the court were not called attorneys but proctors, and if imprisonment was the penalty, the culprit went there by himself, *jussus adire carcerem*, not taken by force' (ibid. i. p. xxi).

¹ *Commentaries* (1768), iii. 84-5; Ayliffe, ii. 22, 254; Hale, *Common Law*, 34. Chief Justice Vaughan held, however, that 'the privileges of the University are grounded on their Patents, which are good in Law, whether confirmed by Parliament, or not. . . . A demand of Conisance is not in derogation of the Common Law: for the King may by law grant *tenere placita*' (Magdalen College Case, 1673; *Mod. Rep.* (1700), 163-5). See also 'The Great Charter of Charles I' (*Bodl. Quart. Record*), vii. 73-94, 121-32).

² *Reg. Privilegiarum* (1770), 77 sqq.; *Enactments in Parliament*, i. 183 sqq.

³ Ibid. 53 sqq.; Salter, *Med. Arch.* i. 255 sqq.

⁴ Univ. Arch. S.P. A. 13; Ayliffe, ii. 246.

⁵ *Cases in Chancery*, 2nd ed. (1707), 237; Ayliffe, ii. 243.

⁶ Ventriss, *Reports* (1726), ii. 362; Ayliffe, ii. 244.

⁷ *Enactments in Parliament*, iii. 168-9.

⁸ *Med. Arch.* i. 128.

extended to the suburbs of the town outside the walls, and still further when the boundaries of the University were enlarged in 1401.¹ By the charter of Henry VIII (1523) the Chancellor's cognizance of pleas, where one party was a scholar or privileged person, is defined as extending 'infra villam Oxonie, suburbia, hundreda aut comitatus predictos (Oxon' et Berk') vel alibi infra regnum nostrum Anglie'.² From towards the end of the fourteenth century the Chancellor regularly received the King's commission to be a justice of the peace.³ By the charter of Henry VIII (1523) this office was made perpetual.⁴

Modern legislation has transformed the Chancellor's Court into a not unimportant part of modern University machinery. By an Act of 1862 the Vice-Chancellor was empowered, with the approval of any three Judges of the Superior Courts to make rules regulating the practice and forms of procedure in all proceedings within the jurisdiction of the Court, and similarly to annul, alter, or add to them. In 1884 the Supreme Court of Judicature Act enacted that as regards Inferior Courts any rules or orders made after the passing of the Act should be subject to the concurrence of the authority for the time being empowered to make rules for the Supreme Court. Provision was also made for the alteration or annulment of any existing rule or order. Following this Act rules of procedure were made in 1892 by the then Vice-Chancellor with the approval of the Rule Committee of the Judges of the Supreme Court. These rules, which superseded those made under the Act of 1862, were enlarged in 1907 and again in 1918.⁵ Although according to the Laudian Statutes the Vice-Chancellor is the Judge, the normal judge is actually an Assessor, appointed under a University statute of 1897.⁶ The Registrar of the Court, who must be a solicitor of the

¹ Salter, *Med. Arch.* i. 226-30.

² Ibid. i. 271.

³ e.g. Pat. Roll. 50 Ed. III, p. 1, m. 35 d.; Ayliffe, ii, p. lxx.

⁴ *Med. Arch.* i. 256.

⁵ See *Rules of the Chancellor's Court* (1933).

⁶ Tit. xxi, sect. 1, § 3.

Supreme Court, is appointed by the Chancellor by letters patent.¹

Under the ancient statutes appeals might be made from the *hebdomadarii* to the Chancellor, then to Congregation and to Convocation, with a final right of appeal to the King in civil and to the Pope in spiritual causes. No appeals were allowed from sentences inflicted for the disturbance of the peace.² In the sixteenth century appeals to Congregation were heard by delegates chosen by the Proctors. From Congregation an appeal was permitted to Convocation, the Proctors acting as before.³ A final appeal to the King was allowed, but a three-fold conviction by the Vice-Chancellor, Congregation, and Convocation was held to be definitive.⁴ The number of delegates was fixed by the Laudian Code—seven were nominated in Congregation and nine in Convocation.⁵ This obtained until 1894, when by an Order in Council under the Supreme Court of Judicature Act, 1875, and the Statute Law Revision and Civil Procedure Act, 1883, it was provided that the enactments and rules of the Supreme Court relating to appeals from County Courts should apply to the Chancellor's Court.⁶

The Chancellor also had the right to hold a Court leet for which the bailiffs of the town were bound to return a jury of eighteen townsmen. This Court had cognizance of for-stallers and regrators,⁷ the price of corn, the assize of bread

¹ Tit. XXI, sect. 1, § 4. The appointment of a Registrar of the Court is one of the few occasions when the ancient Chancellor's seal is used.

² *Statuta antiqua*, lxxx.

³ On 12 Nov. 1565 it was decreed that the delegates chosen by the Proctors should be admitted and approved by Congregation (Reg. KK 15).

⁴ *Statuta antiqua*, 449-50 (22 Feb. 1595); Clark, *Reg.* II. i. 103-7.

⁵ Griffiths, 210. They were nominated by the Proctors after the first and second Congregations following their own election. After the nomination the Proctors in the early part of the nineteenth century used to 'walk', to take the sense of the House. There was, of course, no opposition, but the 'walk' is an interesting parallel to the more famous survival in the Ancient House at the degree ceremony. The names of Delegates of Appeals, who were elected annually, used to be printed in the *University Calendar*.

⁶ *Stat.*, tit. XXI, sect. 1, § 8; *Rules of the Chancellor's Court* (1933), 29.

⁷ *Vide infra*, p. 158.

and ale, the assay of weights and measures, the cleaning and paving of streets, the disposal of unsound food, as well as the cognizance of immoral persons, and disturbers of the peace. The original grant of this privilege is not discoverable, but it would probably have been claimed by prescription; in the Parliament held at Westminster in November, 8 Rich. II, the usage was recorded.¹ The right, which was often challenged by the town,² was confirmed in the charter of 1523, and again in 1575 when by reason of abuse, disobedience, and contempt on the part of a City bailiff, the 'controversies between the two Bodies being aggravated . . . the Academians and Citizens appeared before the Queen and her Council'; the rights of the University were then vindicated against the Citizens.³ The Laudian Code, as well as the present statute, provides that the University leets or courts of view of frankpledge shall be held by the High Steward or his deputy on the assignment of the Chancellor or the Vice-Chancellor.⁴

By his charter of 2 June 1406 the King granted that scholars and privileged members of the University accused of treason, sedition, felony, and maim, crimes with which the Chancellor was not competent to deal, should be tried by a Steward nominated by the Chancellor. Persons accused of these crimes were to be tried at the Guildhall before a mixed jury.⁵ By the charter of 1523 the Chancellor was empowered to appoint, in addition to the Steward, a deputy steward and two lawyers (*legisperitos*) to try such offences committed 'infra villam Oxonie, suburbia, hundreda et comitatus predictos (Oxon' & Berk)'.⁶

The first Steward mentioned in University records is John Norys, who was nominated by the Chancellor and confirmed

¹ *Med. Arch.* i. 358-9; *Rot. Parl.* iii. 185-6; *Laudian Code*, 164. A mass of material respecting the view of frankpledge was collected by Brian Twyne (Twyne MS. 13).

² The town often refused to empanel a jury, Wood, *History*, ii. 33; *Records of the City of Oxford*, 16, 42, 56, 63, 69; Ayliffe, i. 179.

³ *Records of the City of Oxford*, 372-3; Wood, *History*, ii. 176-7. Court leet rolls from 1575 are preserved in the University Archives, the latest being one of 16 Oct. 1733 (W.P. Q. 16).

⁴ Ed. Griffiths, 166.

⁵ *Med. Arch.* i. 231-4.

⁶ *Ibid.* 255 sqq.

in his office by Convocation in 1432.¹ The appointment was for life and the Steward was to receive annually the same remuneration that his predecessors had received. In the confirmatory portion of the document the sum is stated to be four marks, derived 'de perquisitis curiarum'; but not from the fines levied in connexion with the assize of bread, wine, and beer.² The earliest reference to a Deputy Steward seems to be in 1480, when the University wrote to the Steward begging him to appoint Sir Richard Widevill as his deputy on the grounds that it would be 'tedious for your noble estate personally to execute all things requisit by the reason of your stiwardship of the Universite'.³

The statute governing his election and office is the same as that of the Laudian Code.⁴ The office is held for life. The duties of the Steward are to defend the rights, customs, liberties and franchises of the University; to try scholars and privileged persons accused of treason, felony, and maim; and to hold, at the appointment of the Chancellor, the University Court leet. His annual remuneration is five pounds.⁵

The latest records of cases heard before the Steward or his Deputy in the University Archives are two of manslaughter in 1634; the documents consist of the King's commission with a full account of proceedings.⁶

¹ *Epist. Acad.* i. 316; Wood, *History, App. (Fasti)* 180-7.

² When Sir Reginald Bray was invited to accept the office in 1494, the University asked a common friend to approach him since the emoluments were small and the prayers of the University a poor substitute (*Epist. Acad.* ii. 616-17).

³ *Ibid.* ii. 451.

⁴ Ed. Griffiths, 166; *Stat.*, tit. xviii, sect. 11. The only difference is the alteration of 'Corporale iuramentum præstabit' to 'spondebit'.

⁵ *Stat.*, tit. xix, § 10. The Deputy's fee is £2.

⁶ W.P. C. 17-36, Q. 22. There is, however, a letter of Unton Croke, deputy steward, dated 11 Aug. 1653, in which he informs the Vice-Chancellor that two members of the University are charged with rape 'but upon pretence of want of power in those Justices the matter is laid aside, and now prosecuted before mee. I shall bee very tender herein yet cannot refuse to do my office beeing required thereto. It would seeme the schollers are made knowne unto you and as yet are at libertie, it is fitt they should bee secured or committed . . . Sir bee pleased the schollers may bee secured or otherwise Justice will faile to the great scandall of the government.' (Univ. Arch. W.P. a 23.)

Modern Procedure

Discipline over certain officers and members of the University in their official conduct is in the hands of a Visitatorial Board, who apart from the Vice-Chancellor and Proctors include four persons elected by the Hebdomadal Council, and four elected by Congregation; otherwise disciplinary questions relating to senior members are dealt with by the Vice-Chancellor. The higher discipline of colleges is in the hands of their Visitors. Ordinary matters of discipline are dealt with either by the College disciplinary officer, if offences are committed by undergraduates within college, or by the Proctors, if outside. By ancient tradition a Proctor has no disciplinary powers within the walls of a college.¹ Trivial offences are dealt with by the Proctors with the power to fine up to five pounds and to 'gate'.² More serious matters are referred by the Proctors to the Vice-Chancellor.³ The *Liber Niger* of the Proctors contains, especially in its earlier pages, much that is interesting in regard to the misdemeanours of undergraduates, particularly in the seventeenth century. In Cambridge this book is regularly carried by the Proctors at formal meetings of the University. In Oxford the Black Book has no part in University ceremonial.

For very serious offences, under the Oxford University (Justices) Act, 1886,⁴ the University may fix a place within the precincts of the University at which the Chancellor, and

¹ Though they have claimed it, see *A Letter to — Esq. occasioned by a late misrepresentation of the circumstances of a prosecution commenced 1763 by the Proctors against W.C.* By Richard Scrope. 1773.

² To be confined to College or rooms after Great Tom has ceased ringing at 9.10 p.m.

³ The Statutes (tit. xv) enact that punishments should be made at the discretion of the Vice-Chancellor, or Proctors, except removal from the University, which is in the hands of the Vice-Chancellor. In practice to-day all minor undergraduate offences are punished by the Proctors, but the Vice-Chancellor is consulted by them on serious matters. He retains his right of banishment.

⁴ The full title of the Act is 'An Act to remove doubts respecting the sitting and acting of the Chancellor and other Officers of the University of Oxford as Justices of the Peace'. See also p. 123.

the Vice-Chancellor, and the deputy of the Vice-Chancellor may sit and act as justices of the peace for the counties of Oxford and Berks.; and any justice of the peace for those counties may sit and act with them or him. Moreover, the Vice-Chancellor may claim for his jurisdiction cases from the City of Oxford Petty Sessions, but this is done only when there is some special reason for doing so.

When the Judges attend for the Assizes the Proctors have the right to sit at the Judge's right hand. This is probably an ancient privilege and is exercised whenever the Proctor's duties make it possible.

THE ADMISSION AND INSTALLATION OF UNIVERSITY OFFICERS

THE CHANCELLOR

THE Chancellor of the University is first mentioned in the Legatine ordinance of 1214, where it is stated that he was set over the scholars by the Bishop of Lincoln.¹ For some years the Chancellor held a subordinate position, but owing to the distance of Oxford from Lincoln the University gradually won independence both for itself and its resident head. The breach between the University and the Bishop can be conveniently followed in the dispute which lasted from 1291 to 1367 respecting the election and confirmation of Chancellors. The University insisted on its right of election, whereas the Bishop recognized only nomination. Moreover, the Bishop expected the Chancellor to go to him in person for confirmation, whereas the University merely sent representatives who announced the *fait accompli*.² The dispute was settled in 1367 by a bull of Urban V by which the University was once for all freed from episcopal jurisdiction.³ Originally the Chancellor was a resident member of the University chosen from the Doctors of Divinity or of Canon Law, and elected by the regents for a term of two years. Towards the end of the fifteenth century residence was not insisted upon, and the appointments tended to become permanent.⁴ In 1549 under the Edwardian Code the election was transferred to Convocation, and in the reign of Elizabeth it became the rule to choose Chancellors (who might be laymen) from those holding high preferment in Church or State. The first of these statesmen Chancellors was the Earl of Leicester, who

¹ Salter, *Med. Arch.* i. 3.

² *English Hist. Rev.* xxvi. 501 sqq.

³ *Mun. Acad.* 228 sqq.

⁴ John Russell, Bishop of Lincoln and afterwards Chancellor of England, elected 1483 or 1484, was the first to hold the office for life. John Langland, Bishop of Lincoln, elected 1532, also held the appointment for life. (See Wood, *History*, App. 64 sqq.)

introduced two innovations which still survive, namely, the Chancellor's nomination of the Vice-Chancellor and the use of the English language instead of Latin when writing to the University. The Chancellor received no stipend but had certain perquisites from the sale of confiscated arms, from the profits of the assize of bread and ale, and from fines levied on those convicted of breaches of the peace.

There is no account extant of the installation of the early Chancellors, but a record exists of the insignia received by Thomas Chace in 1427 when he was admitted to office. He received a book of Statutes fastened with a silver clasp (the book is now in the Archives, the clasp has long been lost), a silver seal with a silver chain, a silver cup with cover standing on three lions silver gilt, and the Chancellor's own Register.¹ He also received three measures for grain, four measures for liquids, two sets of weights, one Troy for weighing bread and money, and one avoirdupois (called lyggyng weight in the indenture) for spices and candles, two scales and box, and a gilt cloth measure, in a green leather case. There were also two iron seals, one for marking wooden measures and one for pots, measures for wine and beer, and the leaden weights of bakers. These seals were in the shape of the head of an ox. He received further an anvil and hammer of iron for breaking false measures, and finally two sheets of bulls condemning heresies and errors.²

From 1636 the procedure at installation has followed that laid down in the Laudian Code. The earliest account of the ceremony under the Code is probably that of the election and installation of Richard Cromwell, which took place in his private lodgings in 1657.³ A concise account of the installa-

¹ Register Aaa (1434-69) is the earliest Chancellor's register extant. It has been edited by Dr. Salter as *Registrum Cancellarii Oxoniensis* (Oxf. Hist. Soc.).

² *Mun. Acad.* 283-5.

³ *Mercurius Politicus*, no. 373. It was not uncommon to install Chancellors at their private residences. The Duke of Wellington and Lord Salisbury were so installed. A very detailed account of the installation at Oxford of the Earl of Arran in 1715, written by a bedel, is preserved by Hearne (*Collections*, v. 114-16).

tion of the Duke of Portland in 1792 by Dr. Wills, Warden of Wadham, who attended officially, may be quoted in full as being authoritative:

1792 Oct: 2. Went with the Delegates for installing our new Chancellor the Duke of Portland to West Wycombe to dinner at 5—lay there.

Oct: 3. The Delegates left Wycombe in the following order about 12. One Chaise with 2 Bedels, an Esquire and a Yeoman and their respective staves &c. &c. The V.C., Dr. Dennis, and myself (<viz. Dr. Wills, Warden of Wadham>) Pro-Vice-Chancellor elect and Dr. Wenman in a Coach—Dr. Randolph, Dr. Hughes of Jesus, Dr. Vyvyan and Dr. Forster in another Coach—The 2 Proctors in Dr. V's Chaise—The public orator and M.A. in Dr. Randolph's Chaise. [They] were met about 3 miles from Wycombe by the Duke of Portland's Park Keeper—arrived at Bulstrode about $\frac{1}{2}$ past 1. They were received at the door of the Great Hall by the Master of Trinity, Bishop of Oxford, and the Dean of Ch.Ch., where were assembled with them Lord Stormont, Lord Malmsbury, Sir William Scott, Mr. Welbore Ellis, Mr. Wyndham (Norfolk), Mr. Barker, Dr. Walker King, Dr. Lawrence, Dr. Goodenough, and Mr. Dowdeswell—conducted to the adjoining Room where was an elegant collation of Fruits, Biscuits, Sandwiches &c. &c. Lord Tichfield, the V.C., and 2 or 3 more sitting for a few minutes. The drawing Room adjoining to this having before by the Dean of Ch.Ch. been properly dressed as a Convocation House, their Lordships and the 2 other Lords, Mr. B., Mr. W. E., and Mr. W. being strangers, shewn in first. The Bedels entered with the usual Proclamation *intretis in Convocationem Magistri intretis*. The V.C. followed next, the Delegates and Doctors in their proper order. The V.C. took the great Chair, having another great Chair on his right, the 2 Proctors on Chairs a little below. The Registrar on the left. The V.C. opened the Convocation with *Causa hujus Convocationis est ut Illustrissimus et Potentissimus Princeps etc. admittatur ad Officium Cancellarii Universitatis nostrae Oxon. ad quod unanimi omnium consensu nuperrime fuerit electus*. The Bedells went out for the Duke and introduced him properly habited, and placed him at the right hand of the V.C. The

V.C. then said *legatur instrumentum Electionis*. Dr. F. read the same: the Bedell received it and placed it before the V.C. and Chancellor elect on the table. The Bedells laid down their staves on the same, where were deposited the Book of Statutes, the Keys, the Sigillum, and Manuale. The senior Proctor exhibited the oath of Allegiance and Supremacy. The Chancellor read them. The V.C. then administered the Oath, *Tu dabis fidem &c.*, then he delivered into the Chancellor's hands the Instrument of Election, the Diploma, the Insignia of office, saying *Illustrissime &c. &c. offerimus tibi Instrumentum Electionis &c.*, gives it into his hands which he (the Chancellor) gives to the Bedell—*necnon Instrumentum Diplomatis &c.*, gives it to the Chancellor who gives it again to the Bedell—*Tradimus etiam in manus tuas Officii Cancellariatus insignia scilicet Stat. Lib.* (gives it) &c. &c. Then in an oration of one Sentence the Chancellor sitting he addresses him thus—*Vide qua &c. &c.* The Chancellor then rises, goes to his own Chair, and the V.C. takes that he left. The Chancellor returns the insignia to the V.C. The Orator then addressed the Chancellor in a speech of about 10 or 12 minutes. The Chancellor then rose and addressed the Convocation in a very pertinent and proper speech nearly as long,¹ the members of Convocation all standing likewise. And then the V.C., *jussu insignissimi et honoratissimi Cancellarii nostri dissolvimus hanc Convocationem*. Then the Chancellor was conducted out by the Bedells and Delegates—went to his own Room—all the Delegates followed and were then all presented *nominatim et seriatim*.²

From the Restoration onwards the Chancellors play comparatively an unimportant part in University procedure except in one respect. Under the Laudian Code Convocation was empowered to grant certain dispensations, the most important being for non-residence, on the recommendation of the Chancellor.³ Such recommendations became increasingly numerous in the eighteenth century, and were commonly known as Chancellor's letters. They run in a set form: 'I have been moved on behalf of —— who has been prevented

¹ The speech is usually in Latin, but the Earl of Arran in 1715 responded in English.

² Univ. Arch. N.W. 1. 9.

³ Ed. Griffiths, 132.

from keeping a statutable residence [&c.]. In the first half of the nineteenth century the demand for Chancellor's letters was so large that the Registrar found it convenient to use printed forms which the Chancellor appears to have been willing to sign in advance.¹ Chancellor's letters were abolished in 1856 not without calling forth a bitter protest from Philip Bliss, who had been Registrar from 1824 to 1853.²

The deputy of the Chancellor was his Commissary, or the Vice-Chancellor as he was called later, but the Earl of Leicester in 1585 appointed a special deputy as Chancellor while he was abroad, and likewise the second Duke of Ormonde appointed several delegacies to execute the office of Chancellor when he was absent in Ireland and elsewhere.³

Modern Procedure

The election of a Chancellor of the University is conducted on exactly the same lines as an ordinary election (see p. 64).

When the installation is held in Oxford the Vice-Chancellor, Doctors in their robes,⁴ Proctors, and Heads of Houses, meet in the Divinity School. Thence they go to the great gate of the Schools (opposite Hertford College), where they meet the Chancellor-elect, who is conducted in procession to the Divinity School, where he is left seated while the procession moves to the Sheldonian Theatre. After all are seated the Vice-Chancellor opens the Proceedings in Latin: 'The reason for this Convocation is that . . . lately elected Chancellor of this University, may be admitted to the Office and function of Chancellor according to the Statutes after he has taken the

¹ There is such a blank form, signed by the Duke of Wellington, in the University Archives (W.P. γ 3).

² *Oxf. Bibl. Soc. Proceedings*, iii. 236, and Univ. Arch. W.P. γ 3. Five fee books for Chancellor's letters from 1825 to 1855 are in the Bodleian (MSS. Top. Oxon. d. 78). The usual fee was £2, of which the University received 2s. 6d., the Chancellor's secretary £1 7s. 6d., and the Registrar 10s.

³ For general information about the earlier Chancellors see *Statuta antiqua*, lxx sqq.; Wood, *History*, App. (*Fasti*), passim; and Clark, *Reg.* II. i. 239 sqq.

⁴ At the installation of Richard Cromwell (1657), the Earl of Arran (1715), and the Earl of Westmorland (1759), the doctors attended 'in their scarlet'.

oath, that he may assume the insignia of his high office, that he may accept the staves and return them, that he may be solemnly escorted to the chair of office, that in short he may be invested with all honour and authority, in the presence of Convocation in proper and lawful manner according to ancient custom; and that other business which concerns this Venerable House be transacted. *Causa huius Convocationis est, ut . . . Universitatis huiusce¹ Cancellarius nuper electus, ad summum officium ac munus Cancellarii secundum Statuta sponsione data admitatur, ut Insignia dignitatis assumat, ut Fasces (sive Baculos)² accipiat reddatque, ut in Sellam Curulem solenniter introducatur, omni denique honore atque auctoritate coram Convocatione iuxta morem maiorum rite ac iure ornetur. Necnon ut alia peragantur quæ ad Venerabilem hanc Domum spectant.* The Vice-Chancellor then orders the bedels, in Latin, to fetch the Chancellor. *Ite, Bedelli, petite Dominum Cancellarium.* The Bedels carrying their staves with the heads uppermost—unlike ordinary occasions when the base is carried uppermost—return with the Chancellor, who is conducted by the Vice-Chancellor to a chair at his right hand. The Vice-Chancellor then hands the *Instrumentum electionis* to the Registrar asking him, in Latin, to read it. *Registrarie egregie, tolle, lege Instrumentum Electionis.* When the reading is finished the Vice-Chancellor hands to the Chancellor the insignia, saying: 'Sir, I now hand over to you the Insignia of the Chancellor. Receive the book of the Statutes and the keys of the University.' *Iamque, Domine, trado tibi Cancellarii Insignia. Accipe Librum Statutorum et Claves Universitatis,* adding, if as is usual the Chancellor is receiving the degree of D.C.L. by diploma, 'and the Diploma of a Doctor in Civil Law'—*necnon Diploma Doctoris in Iure Civili.* He then tells the Senior Proctor to deliver up the Seal of the University and the Junior the 'other seal'. *Affer, egregie Procurator Senior, Sigillum Universitatis. Affer, egregie Procurator Iunior, Sigillum alterum.*³ The Vice-Chancellor

¹ The reading of Tit. xvii, sect. 1, § 1, is 'istius'.

² See p. 135, n. 1.

³ The seals are the University seal and large Chancellor's seal. The offering of two seals is not in accordance with the Statutes (Tit. xvii, sect. 1,

then tells the Bedels to deposit their staves: *Vos, Bedelli, Fasces (sive Baculos) demittite ac deponite*, which they do upon the steps.

The Vice-Chancellor then administers the oath, the introductory sentences of which must necessarily vary according to circumstances.¹ The form runs: 'Most distinguished . . . to-day with the consent and agreement of all, you succeed to the function and office of Chancellor of the University to which you were recently elected by the votes of many (or of all) of us. I therefore by the authority entrusted to me both by that distinguished man . . . to whose place and honours you are about to succeed, and by the University, am prepared to admit you to your office. You shall swear to keep and preserve jointly and severally, during your period of office, the Statutes, Liberties, Customs, Rights and Privileges of this University, well and faithfully, laying aside all favour, without regard to persons, so far as in you lies and they shall come to your notice.' *Doctor Insignissime et Honoratissime . . . Tu ad officium ac munus summi Universitatis Cancellarii nuper communi consensu rite electus es. Ego igitur auctoritate mihi et a viro præclaro cuius hodie in locum ac laudes successurus es . . . et ab Universitate commissa te ad officium tuum admittere sum paratus. Tu dabis fidem, quod 'omnia et singula Statuta, Libertates, Consuetudines, Iura et Privilegia istius Universitatis, quacunque partialitate remota, indifferenter, bene et fideliter, quantum in te fuerit, et ad tuam notitiam devenerint, durante officio tuo, tueberis et conservabis. Item quod ea omnia fideliter exequeris, quæ ad officium summi Universitatis Cancellarii spectant.'* To which the Chancellor answers: 'I swear.' *Do fidem*. Then the Vice-Chancellor says: 'Most distinguished and honoured Sir, I by my authority and that of the whole University, admit you

§ 1. 2), where a seal of office (Sigillum Officii) is mentioned and the duty of offering the insignia is confined to the Vice-Chancellor and Senior Proctor. The statute declares that the instrument of election is to be made under the common University seal; there is no mention of this seal being offered to the Chancellor, who uses his own.

¹ The above formulas were used at the installation of Viscount Halifax, then Lord Irwin (1933).

to the office of supreme Chancellor of the University. *Domine Insignissime et Honoratissime, Ego auctoritate mea et totius Universitatis, admitto te ad officium summi istius Universitatis Cancellarii &c. &c.* To this he adds a few words of welcome to the new Chancellor. The Chancellor is then installed in his chair and the Vice-Chancellor exclaims: 'Doctors and masters of the University, you have a Chancellor. *Domini Doctores Vosque Magistri Universitatis, habetis Cancellarium.* The Public Orator then makes a speech in Latin, to which the Chancellor responds. The Chancellor then dissolves Convocation with the words: 'My most distinguished Vice-Chancellor, I return to you and yours the Insignia of the Chancellor; you, Bedels, take up your staves: and now, for it is time, dissolve Convocation, I beg you, most distinguished Vice-Chancellor.' *Vice-Cancellarie mi insignissime, reddo tibi tuisque Insignia Cancellariatus; vos, Bedelli, resumite Fasces et Baculos: iamque, tempus enim est, dissolve, quæso, Insignissime Vice-Cancellarie, Convocationem.* The Procession then leaves the Theatre.

THE HIGH STEWARD

The office of High Steward was created in 1406. The Chancellor had the right of nomination, which was confirmed by Convocation. The legal powers of the High Steward have been described on p. 125.² The office is now one of distinction only, not of duty. He ranks after the Chancellor, and all members of the University appear before him in academic robes.

Modern Procedure

The High Steward and his deputy³ are nominated by letters

¹ See p. 135, n. 1.

² Wood, *History*, App. 180 sqq.; Clark, *Reg.* II. i. 241-2.

³ There is a curious document in the University Archives (W.P. β 5) relating to the office of Deputy Steward. It is a lengthy petition from G. R. M. Ward, who was appointed Deputy Steward in 1831. In the petition he claims by right of his office to transact, subject to the control of the Delegates of Estates, all such matters of business between the University and other Parties as the Deputy Steward, being also a barrister and conveyancer, could or ought to transact. The petition was ineffective.

patent from the Chancellor. He is usually admitted privately, and the oath is administered either by the Chancellor himself or his deputy and is in this form: You shall swear to defend the statutes, privileges, liberties, rights, franchises, and customs of this University. Also you shall perform, well and truly, and so far as they shall come to your notice and cognizance, all those matters which concern, or may concern, the office of High Steward of the University of Oxford. *Tu dabis fidem ad defendendum Statuta, Privilegia, Libertates, Jura, Franchesia, et Consuetudines istius Universitatis. Item, tu dabis fidem quod ea omnia quae ad officium Seneschalli Universitatis Oxoniensis pertinent aut pertinere poterunt, bene et fideliter, quantum in te fuerit, et quantum ad tuam notitiam et cognitionem pervenerint, exequeris. Resp. Do fidem.*

THE VICE-CHANCELLOR

The Vice-Chancellor, or the Commissary¹ as he was originally called, was the deputy of the Chancellor, and was appointed by him. Under the Edwardian Code of 1549 the Vice-Chancellor was elected by Convocation,² but under the Chancellorship of the Earl of Leicester the original procedure was revived and has continued to this day.³

When Chancellors ceased to be resident the Vice-Chancellor

¹ At Cambridge the Chancellor's Commissary still survives. He is appointed directly by the Chancellor, and is usually a distinguished lawyer, holding an office of dignity, but not of duty or power.

² *Statuta antiqua*, 350-1, 359.

³ An attempt in 1845 on the part of Convocation to assert itself in the matter of the Chancellor's nomination was responsible for an opinion of University Counsel that the nomination of the Chancellor is absolute and that the assent of the House of Convocation is not necessary, but rather complementary; and that it is not in the power of that body to set aside or to reject the person nominated, provided he be statutably qualified and chosen from the Heads of Houses. In a letter to the University, the Duke of Wellington, the then Chancellor, stated that: 'In this persuasion I am confirmed by the opinion of four eminent Counsel and I therefore desire and direct, that in future whenever the Chancellor's nomination of his Vice-Chancellor has been duly and statutably made, and the House of Convocation has been called upon to assent to the nomination, if any demand should be made for the taking of Votes by Scrutiny or any other Method, it shall not be granted, but that the Vice-Chancellor so nominated shall immediately be admitted into his office.' (Univ. Arch. W. P. 73).

naturally became more and more important as the chief executive University officer. Although the representative of the Chancellor the Vice-Chancellor has never been merely a deputy. He can and does speak by his own authority and that of the whole University. He presides over the Chancellor's Court, and it is expressly stated in the Charter of Henry VIII (1523) that the Chancellor's Commissary might act as a Justice of the Peace, not only in the city and suburbs, but in the counties of Oxford and Berks.¹ The Vice-Chancellor is the chief executive officer of the University, summons the general assemblies, and presides also over such delegacies as he deems fit. He has wide disciplinary powers² and the Proctors submit to him the graver misdemeanours of the undergraduates. In the seventeenth century Vice-Chancellors did not hesitate to exact discipline even in minor matters, so that in 1692 we find the following entry in the diary of Dr. John Meare, Principal of B.N.C. 'Oct. 28 Th. Sermon at St. Peter's in the East. As I went thither I took Wilmot a Commoner of Magd. Hall in his hat and pudding sleeve gown. I took away his hatt and orderd him to come to me, which he did and brought an epistle. I made him pay 3s. 4d. for his trespass, and gave him his hatt with a charge not to wear it in the University.'³ For such-like acts of discipline Dr. Fell was, of course, famous.⁴

On his installation the Vice-Chancellor receives the same insignia as those of the Chancellor—the Book of Statutes, the

¹ Salter, *Med. Arch.* i. 256.

² The Vice-Chancellor is a licensing magistrate, and he also licenses public entertainments in the city. A custom has grown up by which the Vice-Chancellor's permission is asked for city public meetings, but this is not necessary. Whether cleric or layman he is known as 'The Rev. the Vice-Chancellor', and this form always appears on the bills of public entertainments thus: 'By permission of the Rev. the Vice-Chancellor and the Right Worshipful the Mayor'.

³ A fragment of Dr. Meare's Diary (7 Sept.–4 Dec. 1697) is preserved among the Archives of Brasenose College. This interesting document was published by Mr. F. Madan in the *Oxford Magazine* (2 and 9 Feb., 1911).

⁴ For general references to the Vice-Chancellor see *Statuta antiqua*, lxxiv; Wood, *History*, App. (*Fasti*), passim; Clark, *Reg.* II. i. 242–3. For the correspondence of a Vice-Chancellor (1828–32) see [Bodl.] MS. Top. Oxon. b. 33.

keys, and the Chancellor's seal. About seventy-five years ago he received also 'a valuable gold-headed cane said to have once belonged to the Duke of Ormond'.¹ The cane is still handed on, but not formally.

Modern Procedure

The installation of a Vice-Chancellor takes place in the Convocation House before the beginning of the Michaelmas Term, a matter of considerable convenience as it avoids, as the Cambridge practice does not, the possibility of having new Proctors and a new Vice-Chancellor installed on the same day.

The ceremony takes place in the Convocation House like an ordinary meeting of Convocation, the doctors wearing their habits and hoods, the masters their gowns only, while the officials, the Vice-Chancellor, the Vice-Chancellor elect, if a successor is being appointed, the Proctors, and the Registrar wear hoods.

The House, including the succeeding Vice-Chancellor, assemble, and rise as usual at the entrance of the official procession. The Vice-Chancellor then opens Convocation in the usual form: 'The purpose of this Convocation is that a Vice-Chancellor be admitted (or readmitted, as the case may be)² and that other business which concerns this Venerable House be transacted.' *Causa huius Convocationis est ut Vice-Cancellarius admittatur, necnon ut alia peragantur quæ ad Venerabilem hanc Domum spectant.* Both Proctors then standing covered, the Senior Proctor caps the House and reads a formal letter in English from the Chancellor, appointing a new Vice-Chancellor or reappointing the present one.

This letter is then submitted to the House by the Vice-Chancellor in the usual form ('Does it please, &c.' *Placetne &c. &c.*).

The Vice-Chancellor then makes a speech, standing

¹ This statement occurs in a note-book which once belonged to Dr. Rowden, Registrar (1853-70). (Univ. Arch. W.P. γ 18.)

² By a custom of long standing the Chancellor reappoints each Vice-Chancellor twice. This received a qualified approval from the Royal Commission (1919): see *Report*, 67.

covered; he speaks officially, either in Latin or English, reviewing the events of the past year, the House being seated and the Proctors covered.

The Vice-Chancellor then leaves the chair and delivers his insignia (book of statutes, keys, and seal) into the hands of the Senior Proctor, both Proctors standing covered. If re-nominated he stands bareheaded beside his chair while the Senior Proctor, standing and covered, administers the oath: 'Most distinguished Doctor (or Master, according to his degree), you shall swear to observe the statutes, privileges, liberties and customs of this University. Also you shall swear faithfully to perform all those things which pertain to the office of Vice-Chancellor.' To which the Vice-Chancellor responds: 'I swear.'

Insignissime domine Doctor (vel Magister). Tu dabis fidem ad observandum Statuta, Privilegia, Libertates et Consuetudines istius Universitatis. Item tu dabis fidem, quod ea omnia fideliter exequeris quæ ad Officium Vice-Cancellarii spectant. Resp. Do fidem.

The Vice-Chancellor then covers and takes his seat. The Senior Proctor then hands him his insignia saying: 'Most distinguished Vice-Chancellor, I return to you your insignia, book, keys, and seal.' *Insignissime Vice-Cancellarie, reddo tibi insignia officii tui, librum, claves, sigillum.*

If a new Vice-Chancellor is being installed, the outgoing Vice-Chancellor, immediately after handing over the insignia, leaves the chair and takes his place among the doctors. The Vice-Chancellor elect then stands bareheaded in front of the Senior Proctor, who administers the oath, after which the new Vice-Chancellor covers, resumes his seat, and receives the insignia as described above, the Senior Proctor using the same formula but substituting *trado* for *reddo*. Then standing covered, he makes a brief oration (brevity is enjoined by Statute). The Vice-Chancellor, seated and covered, hands the Senior Proctor a list of his Pro-Vice-Chancellors saying, *Accipe schedulam*. The list is then read out by the Senior Proctor.

The Pro-Vice-Chancellors, who are Heads of Colleges personally nominated by the Vice-Chancellor, are then all sworn in together by the Senior Proctor, using the same form of oath, *mutatis mutandis*, as that taken by the Vice-Chancellor. If not present they are sworn in at the next meeting of the Ancient House.

The Vice-Chancellor then dissolves Convocation and leaves, escorted by the Proctors. At the door he pauses till he is joined by the ex-Vice-Chancellor, and a procession is formed, consisting of the Vice-Chancellor, with his predecessor on his right, the Proctors, and following them the doctors and masters 'wearing the correct dress according to their degree'. The former Vice-Chancellor is escorted to his lodgings, and the procession proceeds to the lodgings of the new Vice-Chancellor. At his door he turns and the Proctors, as at their own installation, ask him for 'watch and ward'.

By tradition the Vice-Chancellor then entertains the Proctors and Heads of Houses, and such other distinguished guests as he may wish to invite.

THE PUBLIC ORATOR

The origin of this office is thus described by Wood: 'Upon a strong rumour that the learned Queen Elizabeth would visit the University, an. 1564, and abide there several days (the event of which came not to pass) a worthy person was then elected to keep the said place for term of life and an yearly pension of twenty Nobles was allowed to him and his successors.' He was elected by Convocation on the nomination of the Chancellor.¹

Under the Laudian Code the Public Orator was to be either a Master of Arts or a Bachelor of Law. In the middle of the eighteenth century there was a controversy whether a doctor could be Orator. The general opinion was against it, but it was agreed ultimately that a doctor might be appointed.²

¹ Wood, *History*, II. ii. 904; Clark, *Reg.* II. i. 250-1; *Orationes Creweianæ habitæ a Ricardo Michell* (1878) contains an account of the office of Public Orator.

² [Bodl.] MS. Top. Oxon. f. 44.

Modern Procedure

The Public Orator is elected by Convocation from amongst its own members. He has to swear in the presence of the Proctors that he will fulfil faithfully all and singular duties of his office.¹ *Tu dabis fidem, quod ea omnia et singula fideliter exequeris, quæ ad Publici Oratoris Officium spectant.* His duties are manifold but are mostly concerned with honorary degrees and with the visits of 'Princes, Captains, and Magnates'.

THE REGISTRAR

The first person found in the University records acting as registrar, or public scribe, of the University is John Manyng-ham, who signs a letter in 1448,² and who in 1451 was allowed to employ a non-graduate scholar to make transcripts in the University Library.³ His successor was John Farley, who was acting from 1458 to his death in 1464.⁴ This registrar had the unusual accomplishment of being a Greek scholar and was proud to sign his name in Greek characters. Somewhere about this time a special statute was promulgated for the appointment of a University scribe. He was required to be a Master of Arts, a notary public, and versed in rhetoric. His duties were to keep the University acta, draw up indentures and acquittances, to conduct University correspondence, and to keep the Register duly posted up. The prospective official was to be nominated by the Chancellor and Proctors, and the appointment confirmed by Congregation.⁵

The first Registrar of whom any personal information is given is Robert Tayler, who on 11 October 1531 gave the Vice-Chancellor in the presence of Congregation a book of suspected heresy, a metrical Dialogue between a Gentleman and a Ploughman, which he seized from a man at a place near Potton, ten miles from Canterbury, in the presence of witnesses to free himself from suspicion.⁶ But the most remark-

¹ Most officers to-day take the oath of office in the Proctor's room or other convenient place in the Clarendon Building.

² *Epist. Acad.* (ed. Anstey), i. 270.

⁴ Salter, *Med. Arch.* ii. 284-5.

⁵ *Statuta antiqua*, xx. 285-6.

³ Boase, *Reg.* i. 14.

⁶ Boase, *Reg.* i. 115.

able of all the early Registrars was Thomas Key, who in 1552 had the following charge brought against him, that 'whereas the scribes dutie requirith that he shulde registre all statutes graces dispensacions acts elections of yerelie officers . . . he hath omitted this his chief dutie a whole yere together to the great disworship of thuniversitie and to the confusion of thorder'. He had in fact 'procured meanes and ways to vex and trouble thuniversitie', and was therefore 'thought by the whole house of congregation moore worthie for his unkyndnes towarde thuniversitie to be acordynge to hys desertes expelled then that by thuniversitie he sholde take any further profit or comoditie'. When Key appeared before Convocation he refused to answer the charges, and was thereupon removed from office, not before, however, he had relieved his feelings by dealing a Master of Arts a severe blow in the face. Key spent a day or two in prison, made his submission, and paid a fine of four pence. Nine years later he was elected Master of University College.¹ Under the Laudian Code the Registrar was elected by Convocation. As in the ancient[†] fifteenth-century statute he had to be a M.A. or LL.B., and a notary public.²

Modern Procedure

The Registrar is nominated by the Hebdomadal Council, subject to the approval of Congregation. He is admitted to office by the Senior Proctor and takes an oath that he will honestly and faithfully perform all the duties of his office. *Tu dabis fidem, quod ea omnia et singula bene et fideliter exequeris, quæ ad Registrarii Officium spectant.*

THE INSTALLATION OF BODLEY'S LIBRARIAN

The earliest University Librarians were also University chaplains. More intimate details have been preserved about the office of Librarian than any other. A Statute of 1412 informs us that his yearly salary was £5 6s. 8d., paid half-yearly lest if his pay were in arrears his care and efficiency

¹ Boase, *Reg.* I. vi, vii; Clark, *Reg.* II. i. 249-50. ² Ed. Griffiths, 180.

mightslacken. He could also claim a robe from every beneficed scholar on graduation. For such remuneration he undertook to take charge of the library and to say masses for University benefactors. His hours of duty were 9 a.m. to 11 a.m., and from 2 p.m. to 4 p.m., but if a distinguished person wished to visit the Library he might be required to be at his post from sunrise to sunset. For his health's sake he was allowed a month's holiday in the Long Vacation.¹

The first University Library was above the Congregation House adjoining St. Mary's. In the fifteenth century the books were removed to the new library above the Divinity School. This library was despoiled in 1550 and restored between 1598 and 1602 by Sir Thomas Bodley, whose name the University Library now bears.² The first Bodleian Statute dates from 1613, the year of Bodley's death,³ and was incorporated with additions into the Laudian Code. As the successor of the University chaplain the Librarian once played an important part in ceremonial. He occupied a prominent position in processions and was entitled to wear distinctive dress.⁴ The Librarian no longer has any special precedence.

Modern Procedure

Bodley's Librarian must be 'noted and known for a diligent student, and in all his conversation to be trusty, active, and discreet; a graduate also, and a linguist'.⁵ He is elected by the Bodleian Curators, subject to the approval of Convocation. After the confirmation of his election, the following oath is administered by the Senior Proctor, in the presence of the Vice-Chancellor: 'You shall swear to execute faithfully all those things which concern the office of Librarian.' *Tu dabis fidem te ea omnia fideliter executurum quæ ad officium Bibliothecarii spectant.*

¹ *Statuta antiqua*, 216 sqq.; Wood, *History*, ii. 910 sqq.

² Macray, *Annals*, *passim*.

³ *Statuta antiqua*, 513 sqq.

⁴ *Notes & Queries*, 5th ser. xii. 250; *Oxoniana*, iii. 160-2; Cox, *Recollections*, 224-5.

⁵ *Statut.*, Tit. xx, sect. iii, § 4. 1.

THE KEEPER OF THE ARCHIVES

The Keeper of the Archives is responsible for the safe keeping of the University muniments preserved in the two upper rooms of the Schools Tower. The first Keeper was Brian Twyne, who received the office in 1634 in recognition of his services in the preparation of the Laudian Code.¹ Twyne and his successors Gerard Langbaine and John Wallis took a very prominent part in the bitter controversies with the City which so disturbed the peace of the University in the seventeenth century. Since 1909 the Archives have been visited by the Delegates of Privileges, who report to Convocation every year on its condition and on the industry of the Keeper.

Modern Procedure

The Keeper is appointed by Convocation and on admission has the following oath administered to him by the Senior Proctor: 'Master (or Doctor), you shall swear to keep in safe custody all Charters, Muniments, Registers, and whatsoever else pertaining to the University is committed to your charge, and not to reveal the secrets of the University.' *Magister (vel Doctor), tu dabis fidem quod Chartas omnes Munimenta Registra et alia quaecunque ad Universitatem spectantia, tuæ fidei concredita salva et in tuto custodies; quodque secreta Universitatis non revelabis. Resp. Do fidem.*

THE PROCTORS

The Proctors who were the representatives of the Regent Masters of Arts are first mentioned in a grant of privileges from the King in 1248.² Five years later Adam Marsh refers to them as 'duo rectores pro artistis'.³ They represented respectively the Northern and Southern 'nations', but were later designated Senior and Junior. The Senior Proctor was generally southern, but this was not invariable. Originally they

¹ Wood, *History*, ii. 390, 908 sqq.; Poole, *Archives of the University of Oxford*, 19, 20.

² Salter, *Med. Arch.* i. 18, 19.

³ *Monumenta Franciscana*, i. 347.

were elected in the first Congregation of regents after Easter by indirect voting. In 1574 the election was placed in the hands of Convocation, but intrigues were so frequent and disorder so common at the election that the King in 1628 imposed on the University an Order of Election by which colleges in a prearranged order elected the Proctors from their own members. The colleges were arranged in a cycle of twenty-three years, the larger colleges having several turns, the smaller colleges a single turn in each revolution.¹ Ten complete cycles were completed when a new system was introduced in 1859.²

In 1889 the Non-Collegiate Society (now St. Catherine's Society) and private halls acting together, and Keble, were included in a cycle of simple rotation, election coming to each of the electing bodies once every eleven years. The Proctors are elected by members of the governing bodies who are on the roll of Convocation, acting with all members of the college who are members of Congregation. The candidates must be Masters of Arts of more than four and less than sixteen years standing, but not both from the same college. The result must be announced to the Vice-Chancellor before 9 p.m. on the day on which the election is held, the Wednesday in the sixth week of Hilary Full Term.³ In the event of any difficulty, the matter is settled by a board consisting of the Vice-Chancellor, the senior Doctor of Divinity who is Head of a College, and the Head of the College concerned. If the last mentioned happens to be the Vice-Chancellor, he summons the two senior D.D.s who are Heads of Colleges.⁴ The Senior Proctor is the one who happens to have taken his Master's degree first. The Proctors elected in 1933 had taken their Master's degree on the same afternoon: precedence was then decided by the seniority of the presenting Dean.

¹ *Statuta antiqua*, lxxiv sqq., 197, 561 sqq.; Clark, *Reg.* II. i. 243 sqq.

² *Corpus Stat.* Add. 572.

³ Until 1934 the date of election was the Wednesday after the first Sunday in Lent.

⁴ For a dispute between the University and Magdalen College about the election of a Proctor in 1831, see [Bodl.] MS. Top. Oxon. d. 17.

Modern Procedure

By custom each of the ingoing Proctors gives lunch to their friends and the outgoing Proctors on the day of installation, the Wednesday in the ninth week of Hilary Full Term, each in his own college. It is customary for the Senior Proctor elect to invite ladies as well as men, but the Junior Proctor's lunch is more austere. Shortly before 2 p.m. the Proctors elect are summoned by a bedel. A procession is formed, each new Proctor walking at the right hand of the Head of his College or Society. They enter the Bodleian quadrangle through the great gate of the Schools, from which point onward the Proctors walk bareheaded. (It was formerly the custom for Proctors elect to head the procession alone uncovered.) The procession enters Convocation House, and the Senior Proctor's party sits on his side of House, the Junior's opposite. The Proctors elect occupy the seats nearest the Vice-Chancellor. The Heads of their Societies, if Doctors, sit in the stalls; if Masters, at the upper end of the front seat. Doctors wear Convocation habits and hoods, the Proctors elect and their presenters, if not Doctors, and the Pro-Proctors elect, hoods. Opinions vary, but as it is an ordinary meeting of Convocation probably no other persons should wear hoods.

Meanwhile the Vice-Chancellor and the outgoing Proctors have assembled in the Clarendon Building whence they go in procession to the House, escorted by the Bedels and attended by the Registrar. The Vice-Chancellor opens Convocation, stating that the business is the admission of Proctors and other matters which concern the Venerable House.

Causa huius Convocationis est ut Procuratores admittantur, necnon ut alia peragantur quæ ad Venerabilem hanc Domum spectant.

The Senior Proctor then makes a brief speech detailing the events of the year, usually in Latin, though some Senior Proctors have of recent years been bold enough to address the House in their mother tongue. As he is speaking officially the Proctor remains covered; the Junior stands while his

colleague speaks. Both Proctors then hand to the Vice-Chancellor their insignia, books, and keys, 'in the presence of the whole Convocation'.

The new Proctors are then presented to the Vice-Chancellor by the Heads of their Colleges, the Senior Head presenting first, irrespective of whether his candidate is to be Senior or Junior. The form of presentation is 'Most distinguished Vice-Chancellor, I present to you this excellent man (mentioning him by name) Master of Arts (or whatever his degree may be) of . . . College (or Hall) recently elected one of the Proctors of this University, according to the Statutes, that he may be admitted to the office of Proctor in the University for the ensuing year.'

Insignissime Domine Vice-Cancellarie, præsentō tibi hunc egregium virum A.B. in Artibus Magistrum, (vel in superiore aliqua Facultate Baccalaureum aut Doctorem), e Collegio vel Aula N. secundum Statuta in alterum Procuratorum¹ hujus Universitatis electum, ut ad munus Procuratorium istius Universitatis in annum sequentem obeundum admittatur.

Each Proctor is presented separately. The Vice-Chancellor then administers the oath: 'Master, you shall swear, during your period of office, to perform well, faithfully, without favour, and putting aside all partiality, so far as they concern you and your office, all and singular of those things which pertain to the office of Senior Proctor in this University and shall procure the execution of the same by your Deputies, so far as in you lies.' To which the response 'I swear' is given.

Magister, tu dabis fidem, quod ea omnia et singula quæ ad officium senioris Procuratoris istius Universitatis spectant, bene et fideliter, et indifferenter, quatenus te et officium tuum concernunt, omnimoda partialitate seposita, durante tuo officio, exequeris; et executionem eorundem per Deputatos tuos, quantum in te est, procurabis. Resp. Do fidem.

The Proctor is then presented with the insignia of his office, the Statute book, and the keys. The hood is also removed

¹ This is the reading of the modern statute Tit. xvii. iv. 4. The *Corpus Stat.* reads 'Procuratorem'.

from the outgoing Proctor and placed round his successor's neck, the former Proctor resuming his Master's hood.

The new Proctor is then admitted by the Vice-Chancellor: 'Excellent master, I, by my authority and that of the whole University admit you to the office of Proctor for the ensuing year, and to execute and perform all the other duties which concern the function and office of Proctor.'

Egregie Magister, ego auctoritate mea, et totius Universitatis admitto te ad officium Procuratoris istius Universitatis in annum sequentem; necnon ad reliqua alia præstanda et peragenda, quæ ad munus vel officium Procuratoris spectant. The new Senior Proctor puts on his cap and takes his official seat. The Junior Proctor is then admitted in a precisely similar manner with the substitution of the necessary word Junior for Senior in the oath. The Senior Proctor standing covered then names his deputies: 'I, (giving his full name), Senior Proctor, nominate . . . (again full names) my deputies.'¹

Ego, A.B., Procurator Senior, nomino C.D. e Coll. E. et F.G. e Coll. H. deputatos meos.

The Junior Proctor does likewise. The four deputies are then sworn together with the same oath as the Proctors, inserting the word 'Deputy' and omitting the last clause about deputies.

The Vice-Chancellor then dissolves the House. A procession is formed consisting of the whole House, the new Proctors following immediately after the Vice-Chancellor. At the door of his lodgings they say to him in English, 'Mr. Vice-Chancellor, will you give me watch and ward?' He replies, 'I give you watch and ward'. The procession then escorts the Senior Proctor to his college, where his party breaks off, and then goes to the Junior Proctor's college, outside which there alone remain the two Proctors of the previous year, who hasten to divest themselves of bands and velvet gown.²

¹ If they are not present they are admitted at the next meeting of Congregation.

² A note in one of the Proctors' books says that every Proctor 'laetus intrat iucundior extrat'.

THE UNIVERSITY AND THE TOWN

GEOGRAPHERS have given good and sufficient reasons why there should be a flourishing township where Oxford now stands. A broad strip of gravel across the Thames gave safe and easy passage; the river and its tributaries offered good protection from attack, and its position as a border town in the middle of England gradually made Oxford commercially and politically important. It is not so easy to account for the presence of a University. The author of the Preface¹ to the Chancellor's Book records that the Trojans, when they came to England after the fall of Troy, were much attracted by the streams, meadows, and groves of Oxford and, choosing that place as their permanent home, so became the founders of the University. Giovanni Botero, speaking of Universities in his *Treatise concerning the causes of the magnificencie and greatnes of Cities*, says, 'It is necessarie that the Citie wherein you will found an Academy, be of an wholesome ayre, and of a pleasant and delightfull scituation, where there may be both riuers, fountaines, springs, and woods. For, these things, of themselues without any other helpe, are apt to delight and chere up the spirits and mindes of students. Such were in times past, *Athens* and *Rhodes*, where all good artes and learning florished most aboue all other.'² This, in default of a better, may be accepted as a possible reason why Oxford was chosen as a seat of learning.

The first mention of Oxford in history is contained in the Anglo-Saxon Chronicle which records under the year 912 that King Eadward took possession of London and of Oxford and of all the lands which owed obedience to them. References to teaching at Oxford are found in the twelfth century, but it was not until 1214 that the University emerged as a corporate body and secured rights independent of the town.

¹ Generally known as the *Historiola*, written in the first half of the fourteenth century (*Statuta antiqua*, 17).

² Translated by Robert Peterson (1606), 43, 44.

The occasion which secured the University's recognition was commonplace enough. In 1208/9 the townsmen had hanged two clerks in revenge for the murder of a woman.¹ The scholars dispersed in alarm. The King, the Bishop of Lincoln, and the Pope's Legate all intervened, and five years later the scholars found themselves amply repaid for the inconvenience to which they and their deceased comrades had been put. The townsmen were compelled to make valuable concessions to the scholars. The rent of scholars' houses was to be reduced; food was to be sold at a reasonable rate; arrested clerks were in future to be delivered to the Bishop of Lincoln, thus establishing the principle of exemption from lay jurisdiction; 52s. were to be paid yearly for the use of poor scholars² and one hundred feasted every St. Nicholas Day. The payment and the entertainment were undertaken by the Abbey of Eynsham,³ at the request of and by payment from the town; after the Reformation the Crown undertook the obligation and to this day pays to the University a yearly sum of £3 1s. 6d. for a poor scholar. In 1244, following a riot in which the scholars were certainly the aggressors, the Chancellor was granted the right of being alone competent to try certain causes in which one party was a scholar; perhaps the most valuable of all University privileges and one which in a modified form still obtains to-day.⁴ Four years later a murderous attack on a student resulted in the mayor and bailiffs and their successors being compelled to take an annual oath to respect the privileges of the University, a ceremony which was not abolished until 1858.⁵ But it is unnecessary to follow more particularly the steady accumulation of privilege. Every fresh outrage on scholars invariably resulted in loss of prestige to the town and in gain to the University. The most serious of all the frays between the University and the town took place on St. Scholastica's Day (10 Feb.) 1355, when many scholars were slain. Never before had the University experienced such

¹ Wood, *History*, i. 182 sqq.

² Salter, *Med. Arch.* i. 2 sqq.

³ Ibid. 7.

⁴ Wood, *History*, i. 233 sqq.

⁵ Ibid., i. 237 sqq.; Salter, *Med. Arch.* i. 18.

a reign of terror at the hands of those 'confounded sons of Satan', as Wood calls the stalwarts of the town; the chief belligerents on the academic side, to judge by the number of fatal casualties, were Irishmen. The royal arm brought swift punishment to the townsmen, not indeed in the form of profitless executions and unremunerative imprisonments, but, as in the past, by a permanent increase of privilege to the University, and in addition by a yearly act of penance on the part of the townsmen which for nearly five hundred years regularly recalled their humiliation.¹

As time went on the University consolidated its independence by admitting persons (servants and tradesmen) to its privileges, and by securing the sole control of those exercising certain trades, namely, booksellers, bookbinders, parchment sellers, scribes, inn-keepers, and vintners. The University also claimed the right under the charter of 1523 to license any person to exercise any craft in the town.² Beside the tradesmen already mentioned the University also exercised control over carriers, carpenters, tavern-keepers,³ bakers, brewers, and leather-sellers.⁴ Moreover, the University could even interfere with what might be called the common rights of individuals. To take an extreme case, the University had the power to clear the streets at nightfall. As the City stated

¹ Wood, *Annals*, i. 455 sqq.; Salter, *Med. Arch.* i. 148 sqq.

² Salter, *Med. Arch.* i. 266; Gibson, *Great Charter of Charles I*, 23, 35.

³ The University still has the right to enter taverns and inns. Cambridge exercises a definite control over unsatisfactory tradesmen.

⁴ Clark, *Reg.* II. i. 315 sqq. In 1675 the Barbers received a charter from the University. It was customary for the Company to present each Proctor with four pairs of gloves or goods to the amount of 15s. 9d. In return the Proctors (or according to another account in the Proctors' book, the Vice-Chancellor and Proctors) entertained the Master, two Wardens, the Clerk, and five others—'The entertainment used to be a supper, it has of late years been called a dinner. In the Christmas Vacation of 1849 the Junior Proctor, not having any programme to refer to, feasted them (as he afterwards discovered) in far too sumptuous a manner; the following bill of fare will be found amply sufficient—a piece of roast beef, a turkey, plum pudding, mince pies, port and sherry, and a bowl of punch.' A later hand substitutes 'a liberal allowance of punch and other strong drink besides wines etc. The Company left about 10 o'clock after tea.' The Barbers' Company was dissolved in 1859: its muniments are now in the Bodleian Library.

in its petition of 1649 'for a civil man to goe to the Vice-chancellor for leave to be out of his house after nine of the clock or not to stirr abroad before 4 of the clock in the morning is conceived by us to be a greater tyranny than is fit for any freeman to beare'. Little wonder that the City petitioned Parliament 'to disinslave the free born People of this Nation from all manner of Arbitrary Judicature or Power, and enable them to live like Freemen under the known Laws of this Land', and that on the other hand the University should desire and pray 'that the Golden reins of that ancient Discipline by which both the University and City have for so many hundred of years stood and flourished together, may not be let loose'.¹

These disputes between the University and City gave rise to certain ceremonies some of which were performed almost within living memory, while a few yet survive. Two of these ceremonies were so similar that it is necessary to make a clear distinction between them.

The terms of the penance on St. Scholastica's Day were 'that the Mayor for the time being, the two Baillives and threescore of the chieftest Burghers (sworn to the University according to the ancient use) shall personally appear in the said Church [St. Mary's] on the said Day of St. Scholastica, and there at their own charges celebrate a Mass with a Deacon and Subdeacon, for the souls of the said Scholars that were slain . . . and that the said Laics or Burghers shall be present at the said Mass from the beginning to the end, and after the Gospel is read, every one of the said Laics shall offer at the great Altar in the said Church one penny'.² At the beginning of Queen Elizabeth's reign the ceremony was intermitted for fifteen years, but afterwards resumed, a sermon or a communion service replacing the Mass: later the Litany was substituted. In the Commonwealth period the citizens unsuccessfully petitioned Parliament to excuse them from any such acknowledgement of so servile and superstitious a

¹ *A defence of the rights of the Univ. of Oxford*, 1690, I, 7, 33.

² Wood, *Annals*, i. 471.

ceremony.¹ The Act of release came in 1825. Cox says in his *Recollections*:

'This gracious act, however, was not quite unexpected or unextorted; for the citizens in the preceding November had resolved, "That it will be advisable for the Mayor and Bailiffs to abstain from attending at St. Mary's Church on the Dies Scholastica". Then followed a little coquetting. The University, i.e. the Hebdomadal Council, suggested that the City should formally request the cessation of the ceremony; and the City duly and humbly requested its discontinuance.' At that time the ceremony was conducted as follows: 'The Vice-Chancellor was seated under the organ, a corresponding seat was taken by the Mayor; the Vicar and Proctors, with the Registrar and the Bedels, were within the Communion-rails; the citizens took the seats on either side the chancel, and then the Litany was read by the Vicar (originally, i.e. in Roman Catholic days, there were Masses read for the souls of the slain), after which sixty-three pence, generally in small silver coins, were presented by one of the Bailiffs, and received and carefully counted (at the rails) by the Senior Proctor. The City procession then retired (exchanging bows with the Vice-Chancellor as they passed his seat) and the pence were distributed, the larger share to the Vicar, the rest among the Bedels.'²

The ceremony of the penance is not to be confused with the oath of the Mayor which, at the end of the sixteenth century, was performed just before the beginning of Michaelmas Term. The earliest recorded form of the oath together with the names of the mayor, bailiffs, and burgesses seems to be that of 1543.³ The oath in modernized spelling ran: 'Ye shall swear, that ye shall keep, and cause to be kept the liberties and customs of the University, not being contrary to such liberties as ye justly have in execution, standing also in force by the King's final grants and orders made and taken for the quietness and weal of this University, and of this town also, or city. So help you God and the holy contents of this

¹ *A defence*, 9.

² Cox, *Recollections*, 113-14. The distribution was as follows: '21 pence to the minister, 21 pence to the Proctors, 21 pence to the Registrar and Bedels' (*Bedel's Book*, 2).

³ Reg. I. f. 94^v.

Book.' As performed at the beginning of the nineteenth century the ceremony is thus described by Dr. Bliss:

'It is customary to administer the oath to the Mayor, 2 Bailiffs, and 60 of the Freemen of Oxford on the 30th of September. If the 30th of September falls on a Sunday, the ceremony takes place on the Monday following. So in 1827. The Bedels give notice on the evening before to the Proctors and Registrar, and the Vice-Chancellor having fixed the hour (generally 10 o'clock) notifies the same to the Mayor (by the Bedel) with his compliments. The Mayor and Commonalty of the City go into the Chancel of St. Mary's, and after they are seated, the Vice-Chancellor, Proctors, and Registrar, preceded by the Esquire and the Yeomen Bedels enter, the Vice-Chancellor taking his seat on the right hand of the Chancel, the Proctors going, with the Bedels, within the rails of the altar, and the Registrar taking his place immediately above the Town Clerk so as to hear the names of the Freemen and to take care that the whole number appear. The oath is first administered by the Senior Proctor to the Mayor singly, then to the Aldermen, then to the Bailiffs, and afterwards to the remaining commons in parties of six. When the whole have been sworn, the Registrar notifies to the Vice-Chancellor that the ceremony is complete and the Mayor and whole assembly depart, the Vice-Chancellor remaining in his seat and bowing to the several persons as they leave the Chancel. It is only of late years that the Vice-Chancellor has remained till the City officers &c. have left the Church... Since the year 1836 the attendance has been limited to the Mayor and four Burgesses, usually the Sheriff and 3 others.'¹

The Mayor was finally relieved of the oath in 1858. A curious comment on the ceremony is found in the Proctors' book, where it is noted that 'The Mayor's feast is given that same evening. The V.C. is always invited, but seldom accepts the invitation. The Proctors never decline, but are not always asked. On this night only throughout the year the Proctors do not show themselves at all in the streets, excepting they are called out to quell any riot there.'

The only surviving University officers who now have relations with the City are the Delegates of Privileges and the

¹ Univ. Arch. W.P. γ 18.

Clerks of the Market. The latter appear first in 1507¹ when they are styled *Supervisores mercati*: in 1518 they are found as *Clerici mercati*.² They were appointed yearly, in the earlier period at the end of Trinity Term, later at the beginning of Michaelmas Term. The Statutes of Cardinal Pole, promulgated in 1556, give the earliest account of their duties. They were responsible for the supervision of weights and measures and the inspection of victuals and clothing.³ The Laudian Code gives fuller details, and as the present Statute retains practically its original form it may be worth while to translate it in full.

'The duty (of the Clerks of the Market) is to look after all things which concern the necessary and convenient arrangements about provisions, and, so far as in them lies, at the assize of bread, beer, and wine, weights and measures, and in the quality and price of corn, to see that no fraud is committed. To which end they are bound frequently to test the weight of bread, to examine each maltster's and brewer's casks at least once a year, and if they find any failing in the just measure prescribed by the Statutes of the Realm, to break or burn, besides the fine which the Vice-Chancellor may inflict on the brewer. Whether the measure is correct for the bundles of hay and horse fodder: whether bundles of faggots are of full size: whether the coal merchants' sacks are of the proper capacity, that is to hold four bushels, and if they fail in the correct measure to burn the sacks themselves in the market and to distribute the coal among the poor. Finally it is their duty to see that everything in the common market is arranged, displayed, and exposed for sale at the proper time and place, and carefully to investigate the cases of offenders such as regrators, forestallers, exactors of unjust tolls, or other persons guilty of fraud in the common market, and to fine them themselves, or to bring them before Mr. Vice-Chancellor for him to fine them. Further, if from complaints brought before the Vice-Chancellor it shall appear that the clerks of the market have failed in their duty, if

¹ As the registers of Congregation and Convocation are lost between Nov. 1463 and June 1505 the Clerks may have appeared at an earlier time.

² They had been preceded by *supervisores panis, vini, et cervisiae* in 1454; the *supervisores panis* had disappeared by 1507, but the other two survived until the middle of the sixteenth century.

³ *Statuta antiqua*, 369-70.

perchance they have been found negligent in examining the maltsters' casks, the fine shall be ten pounds each. But if in other matters which concern their office, their negligence is to be punished by a fine of ten shillings each for every offence.'¹

They are nominated, one by the Chancellor, the other by the Vice-Chancellor, and hold office for one year, their election being announced in the *University Gazette*.² The Clerks of the Market still retain a formal interest in corn, and at the annual corn-rent dinner³ given by Estates Bursars announce the current price of corn in the Oxford Market. Each Clerk of the Market receives £5 a year.⁴

The Delegates of Privileges were created in 1768,⁵ when it was observed that ignorance in the matter of privilege had brought about much inconvenience to the University and that the casual appointment of delegacies to deal with controversies with the Town was not conducive to the University's interests. It was therefore decided to appoint eight perpetual and five annually elected delegates who should deliberate upon matters concerning privilege. They were to meet at least twice a year to confer about the maintenance and defence of the privileges and rights of the University. The surviving records of the Delegates' activities show that they dealt with such matters as Coroners, the Mayor's oath, and weights and measures. At a meeting in December 1864 they dealt with the case of a policeman who entered Christ Church and struck a member of the University with handcuffs. The Delegates decided that 'under present circumstances it is not desirable to proceed with the matter'. The original Statute of 1768, with one small change, is the same to-day, but a clause has been added making the visitation of the Archives one of the Delegates' duties.

One interesting body, now defunct, must be mentioned

¹ *Statt.*, tit. xvii, sect. vi.

² There were many controversies about their nomination in earlier times. See Clark, *Reg.* II. i. 251-2.

³ Some Oxford rents still depend on the price of corn.

⁴ For the history of the Oxford Market see *Oxf. Hist. Soc. Collectanea* II.

⁵ *Corpus Statt. Add.* 94 sqq.

because their successors survive as the University's representatives on the City Council. These were the Masters of the Streets (*Magistri vicorum*), the successors of the deputy judges who from very early times were appointed to sit in various parishes. In a fourteenth-century list the parishes are as follows: St. Peter's in the East, and Eastgate without; St. Mary's and St. John's; All Saints, St. Mildred's and St. Edward's; St. Michael's at South Gate, St. Aldates', and St. Ebbe's; St. Martin's, St. Peter's and St. Michael's at North Gate; St. Giles, St. Mary Magdalen and St. Cross.¹ In 1454 a similar list is found with a different grouping.² These judges were concerned with the keeping of the peace—*Judices ad inquirendum de pace*, as they are called in a list of 1507.³ Here a very different arrangement of localities is found—East Gate without; from East Gate to St. Mary's; from St. Mary's to All Saints; from All Souls to St. Martin's; from St. Martin's to the Castle; in Cat St.; North Gate within; over Grandpont; from South Gate to St. Martin's; North Gate without; Smithgate without; and round about St. Mildred's.⁴ This arrangement happens to be identical with one given in a record of the number of regrators in various parts of the town in 1278.⁵ A possible explanation of the change is that

¹ 'Judices deputati ad sedendum in diversis parochiis', *Mun. Acad.* 189. The date is probably rather later than 1357.

² Reg. Aa 13^r. The Chancellor and Proctors were the judges for St. Mary's and St. John's.

³ Reg. G 44^v. As the registers of Congregation are lost between Nov. 1463 and June 1505 the change may have been made earlier. They were elected at the end of Trinity Term. Later they were elected at the beginning of Michaelmas Term.

⁴ In the 1507 list this is given as 'Juxta aulam S. Mildrede' instead of *ecclesiam*: Clark says, 'S. Mildred's Church stood either on the north-eastern or north-western part of the site of Lincoln College, and was apparently taken down to make room for the buildings of the college before 1440. Yet in these lists it is quoted regularly as though actually existing; e.g. "juxta ecclesiam S. Mildredae" occurs as the title of this province in 1587, 1588, 1589, and in 1618, 1620 and many other years. In 1583 and in 1585, the province is described as "in S. Mildred's parish". It clearly consisted of Turl-street and perhaps the short streets running east and west from it.' (Reg. II. i. 102.)

⁵ *Statuta antiqua*, 106. In Reg. A the word 'regratores' is contracted into 'reg.'. Reg. D gives *regratores* once. At a later date the contraction was

some University official looking in the registers for the 'form' of deputy judges accidentally hit upon the list of retailers, and copied it in mistake; or he may have found that division by localities was more convenient than division by parishes.¹

In the reign of Elizabeth the designation of these officers changes from time to time. In 1552 they are called *Judices ad inquirendum de pace iidemque magistri vicorum*; in 1557 *Custodes pacis*; in 1576 *Magistri vicorum*;² in 1580 *Custodes pacis et magistri vicorum*; and in 1583 *Magistri pro stratis publicis*. In the Laudian Code they are responsible for orderly conduct in the town, for the cleaning of the streets, and for the good behaviour of undergraduates.³ Masters of the Streets were appointed in Michaelmas Term regularly as late as 1864, when they disappear on the passing of the Local Government Supplemental Act of 1865.

Modern Procedure

At the first meeting of Congregation after the beginning of the Michaelmas term the Clerks of the Market are sworn in, one being appointed by the Chancellor and one by the Vice-Chancellor. The Senior Proctor administers the oath: 'Masters, You shall swear to observe all the rights, privileges, liberties and customs of the University, also you shall swear that laying aside all favour of persons and consideration of gain, you will, in so far as the statutes of the realm and the customs of the University permit, diligently care for those things which in any way concern or may concern the office of clerks of the market.'

taken to mean *regentes*, a reading which is perpetuated in *Munimenta Academica*. *Regratores* were retailers. Their number was limited because the University preferred to buy in the open market and thus save the middle-man's profit.

¹ The arrangement by parishes appears once more in 1567 (Reg. KK 49^r).

² Two officers called *supervisores pavimenti* are found in 1454 and 1457, and again in 1508. They are called also *supervisores vicorum* in 1507 and from 1515 to 1543. They had disappeared by 1552.

³ Ed. Griffiths, 175-6. They were nominated by the Proctors at the beginning of Michaelmas Term.

Magistri, vos dabit is fidem quod omnia jura, privilegia, libertates, et consuetudines istius Universitatis observabitis. Item quod omni favore personarum et lucri intuitu seposito, diligenter ea curabitis (quatenus et statuta regni et consuetudines Universitatis permittunt) quæ ad officium Clericorum Mercatus aliqua ratione vel pertinent, vel pertinere possunt. Resp. Do fidem.

APPENDIX ON PROCEDURE IN CONGREGATION

ON 1 October 1935 the following Statute on procedure in Congregation will come into force. The Statute which amends Statt. Tit. X was passed by Congregation on 4 December 1934. The main provisions are as follows. The Statute envisages four types of business, Statutes, Decrees, Resolutions, and Questions, but also includes sections on general procedure in Congregation. The Chairman of Congregation shall be the Chancellor, Vice-Chancellor, or a Pro-Vice-Chancellor, who shall have, as Chairman, the right of veto on any proposal, before the question is put. This right is also enjoyed by Proctors, but not by their deputies as in the past. The Chairman shall also have the right to propose a motion to adjourn the House at any time, or after two full hours to adjourn it without question put; if an adjournment is made he may fix a day for the adjourned meeting, which otherwise automatically takes place next day. There will be no quorum, but if less than twenty members are present any two members may at any time propose an adjournment. After two full hours any two members may propose an adjournment, but in this event, unlike a similar proposal by the Chairman, the question must be put.

The following restriction is made on speaking: there is no time-limit beyond the patience of the House, but no member may speak more than once except the mover of a motion, who must be either a member of Council or of the General Board, and who has a right of reply at the end of the debate.

The passage of legislation involves action by Council. It will be more easily understood if that which refers to Statutes is first explained. A Statute must contain a preamble, giving the general principles, and an enacting part which contains details. Elaborate precautions about notice are necessary but these may be suspended by a special decree, which, however, can be negatived by twelve members rising in their places after the reading of the Decree. There are numerous precautions: first, notice of promulgation (that is the introduction of the preamble before the House) must be published in the *University Gazette*.¹ After publication any

¹ The length of notice for all the procedure detailed in this paragraph is for convenience summarized in a separate paragraph.

two members may send to the Registrar for publication notice that they will move as an amendment the *sine die* adjournment of the discussion of the preamble. If no such motion is tabled, or if it is proposed and lost, the preamble is declared by the Chairman at the end of the debate to be carried, without question put, and the discussion of the enacting part is adjourned. Two or more members may then give notice of amendments to the enacting part. These are considered by the Vice-Chancellor, who, if he considers them consistent and relevant, reports them to Council, which, with any additional amendments it may wish to make, forwards them to Congregation. If the amendments are adopted, the Statute, as amended, is published in the *Gazette*. Additional amendments may then be brought forward by *twelve* members or by Council, and the latter body may at any time propose additional amendments or give Congregation the choice between alternative provisions. All amendments must be printed consecutively—i.e. in the order in which they will eventually appear should the Statute be adopted, and must be moved in that order unless the Chairman rules otherwise at the opening of the debate. The Statute is then submitted to Congregation after due notice at a date fixed by the Chairman. If accepted it comes into effect at once either without a division or by a two-thirds majority unless its operation is suspended by a decree or by a provision in the Statute itself. If it passes by a lesser majority it must be submitted to Convocation; if accepted it becomes operative subject to any postponing decree. If it fails to pass, Council may introduce into Congregation a Statute which is certified by the Chancellor (but *not* by his deputy) to be the same, or substantially the same Statute, not less than a year, or more than two years, after its rejection. If it passes then, with or without amendment, it becomes, with the same possibility of a delaying Decree, operative. A Statute which has been rejected by Congregation may not be reintroduced until after four terms.

To Decrees which have a preamble the same regulations apply except that apart from the initial amendment of indefinite adjournment no amendment may be made to a Decree, and reintroduction after rejection of Congregation may take place after two terms.

The following periods of notice are required for Statutes and Decrees, publication in each case meaning publication in the *University Gazette*:

1. Promulgation of Statute, publication nineteen days beforehand.
2. Amendment to promulgation (indefinite adjournment) eight days' notice to Registrar, publication five days beforehand.
3. Preamble carried, enacting part adjourned for discussion, fourteen days, publication four days before debate.
- 3 *a*. Preamble carried, two-member amendments to enacting part, notice to Registrar within three days of passing of preamble.
4. Statute published to show amendments accepted by Vice-Chancellor or Council. Twelve-member amendments within three days to Registrar.
5. There is no time-limit before the actual debate to amendments by Council or submission of contradictory amendments, but all amendments must be printed consecutively four days before the debate.
6. Statute amended. Motion that the Statute pass to be made fourteen days after twelve-member amendments or seven days after Council's final amendments, whichever is later. The final date of the motion is actually to be fixed by the Chairman, but four days' notice in the *Gazette* must be given.
7. Amendments rejected or lapsed. Statute must be submitted to Congregation within seven days.

1 and 2 apply to Decrees with a preamble, and the enacting part comes under a similar limit to 7, except that four days' publication is required. Decrees without a preamble require only four days' publication.

A resolution, which must be proposed by twelve members of Congregation, is a method of requesting either Council or one of the executive Boards to amend or to obey the existing Statutes. Such a resolution must be handed to the Registrar twenty-one days before it is proposed to bring it forward, which must be at a meeting of Congregation in full term. This alone of all proposals to be considered by Congregation need not be published. If such a resolution is carried and the *placets* are forty or more, *Council* must not later than the fourth meeting of the following term bring forward a Statute or Decree giving effect to the resolution. If, however, this would involve financial provision, Council must, after consultation with the Chest, certify whether this provision

can be made without curtailing either existing services or supplies already voted.

Questions may be asked by three members of Congregation on any matter which falls within the jurisdiction of one of the executive Boards of the University. The question, which is to be approved by the Vice-Chancellor, must be received by the Registrar ten days and published five days before it is asked. The answer must be approved by Council, and read in Congregation by a member either of Council or of the Board concerned and be published. No debate is allowed, but the Chairman may allow supplementary questions.

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